



# **EMPLOYEE HANDBOOK**

October 25, 2010

# TABLE OF CONTENTS

GENERAL PROVISIONS.....	6
Purpose and Statement of Intent .....	6
Dissemination of the Employee Handbook .....	7
EQUAL EMPLOYMENT OPPORTUNITY & HARASSMENT POLICY .....	8
Complaint Procedure.....	10
OPEN DOOR POLICY .....	12
GENERAL EMPLOYMENT INFORMATION.....	13
Employment Process--Application and Selection.....	13
Employment Offer .....	14
Employment Eligibility Verification .....	14
Background Investigations.....	15
Post-Offer Employment Physical and Drug Screening.....	15
Employment Status .....	15
Probationary Period.....	18
New Employee Orientation.....	19
Job Descriptions .....	19
Performance Assessment Review Program (PAR).....	19
Promotion and Transfers .....	21
Demotion.....	21
Vacancy/Announcement of New Positions.....	21
Attendance and Tardiness .....	22
Employee Conduct Generally .....	23
Investigation of Misconduct.....	24
Employee Misconduct Generally.....	24
Insubordination .....	26
Dishonesty .....	26
Lost or Damaged Property.....	27
Employee Discipline .....	27
Pre-Disciplinary Review .....	30
Problem-Solving/Grievance Procedure.....	31
Termination Processing Procedure .....	33
Exit Interview.....	34
Re-Employment .....	34
Employment References.....	35
Compensation upon Separation from Employment.....	35

Secondary Jobs.....	36
Employment of Family Members (Nepotism) .....	36
COMPENSATION.....	38
Workdays/Pay Periods/Paydays.....	38
Time Reports .....	38
Meals .....	39
Breaks.....	40
Payroll Deductions .....	40
Wage and Tax Statement .....	40
Holiday Pay For City Employees.....	41
Holiday Pay For City Employees Who Work On Holidays. ....	41
Overtime Pay/Compensatory Time.....	42
Step-up pay for acting department/division heads.....	45
Reduction in Pay of Exempt Employees.....	46
Merit Pay Increases .....	47
Salary Administration .....	47
Promotions, Transfers and Demotions.....	48
Changing the Salary of an Employee Assigned to a Position.....	48
Topped out employees .....	49
Uniform Allowances .....	<b>Error! Bookmark not defined.</b>
EMPLOYEE BENEFITS PROGAMS.....	51
Health Insurance/Dental Insurance .....	51
Life Insurance .....	52
Dental/Vision Insurance.....	52
Long Term Disability Insurance .....	52
Retirement Plan.....	53
Recreation Center Membership .....	53
Continuation of Benefits .....	53
Worker's Compensation .....	54
Vacation Leave .....	56
Holidays .....	57
Sick Leave.....	57
Unused Sick Leave.....	58
Donation of Employee Sick Leave .....	59
Educational Assistance Program.....	59
AUTHORIZED LEAVES OF ABSENCES .....	61
Family Medical Leave .....	61
Extended Medical Leave.....	64

Return To Work After Medical Leave of Absence .....	65
Military Leave of Absence.....	66
Jury Duty/Legal Leave.....	67
Bereavement Leave of Absences .....	67
Other Leaves of Absence .....	67
Alternate Duty Policy For Worker's Compensation Injuries .....	69
<b>SAFETY AND SECURITY.....</b>	<b>72</b>
Safety Rules .....	72
Safety Equipment.....	72
Seat Belts.....	73
Accident Reporting .....	73
Drug Free Workplace Policies .....	74
Substance Abuse Policy .....	74
Drug and Alcohol Testing Program Procedures .....	74
Consent to Testing .....	75
Violations .....	76
Employee Assistance Program.....	76
Inclement Weather/Force Majeure.....	77
Smoking/Tobacco .....	77
Uniforms/I.D. Badges .....	77
<b>ADDITIONAL INFORMATION .....</b>	<b>78</b>
City of Gulf Shores' Labor Relations Philosophy .....	78
Dress Code Policy .....	78
Confidential Information.....	79
Media Inquiries .....	80
Use of City Computers and Other Communication Systems.....	80
Personal Possessions .....	81
Telephone Courtesy .....	81
Personal Telephone Calls.....	82
Conflict of Interest .....	83
Political Activities.....	83
Personnel Files .....	84
Travel .....	85
Automobile Usage.....	86
Volunteer Firefighters .....	88
Private Use of City Assets .....	88
Tips and Gratuities .....	89
Solicitations.....	89

City Bulletin Boards.....	89
Changes in Personal Status .....	90
Visitors .....	90
Final Reminder.....	90
ACKNOWLEDGMENT.....	91

# GENERAL PROVISIONS

## **Purpose and Statement of Intent**

At the City of Gulf Shores, we believe that a good working relationship with our employees is the key to our success, and that a good working relationship starts with effective communication. Our Employee Handbook is our way of opening the lines of communication.

This handbook provides a *summary* of our employment benefits, policies, procedures and work rules. While we expect all employees to become thoroughly familiar with our handbook, no handbook can cover every situation or answer every question. Remember, effective communication is a two-way street. If you have questions, problems or suggestions, please let us know. Our goal is to work together as a team.

For the City to be successful, we must be performance-oriented. Your success and, in turn, our success depend upon the quality of your work.

Our employment relationship is based upon mutual trust and mutual satisfaction. Your employment with the City will always be “at-will,” meaning that either you or the City may terminate the employment relationship at any time for any reason. This Employee Handbook does not: (1) obligate the City to continue your employment for a particular length of time; (2) create a contract of employment between you and the City; (3) create a property right or any other right to continued employment with the City; or (4) limit the City's right to terminate your employment for any reason the City deems sufficient. Except by *written* agreement signed by the City, no elected official, appointed official, manager, supervisor, employee or other representative of the City has any authority to promise you employment for a particular length of time or to make any other promise or representation about your continued employment with the City.

Our Employee Handbook is a general summary of our employment benefits, policies, procedures and work rules. While we strive to follow our handbook, circumstances may

arise that make it appropriate to vary from or change the policies, procedures, work rules and benefits described in the handbook. If so, we reserve the right to do so, with or without prior notice.

### **Dissemination of the Employee Handbook**

A copy of this Employee Handbook will be provided to each employee. Additional copies are available from the Personnel Officer. Each employee is responsible for reading and understanding the personnel policies. After each current employee is afforded the opportunity to read this Employee Handbook, the employee will be required to sign an acknowledgement to confirm the employee has read and understands the policies. Each new employee will be provided a copy of the Employee Handbook during orientation and will be required to sign the acknowledgment before beginning work.

# EQUAL EMPLOYMENT OPPORTUNITY & HARASSMENT POLICY

We are committed to equal employment opportunity for all employees. We recognize and appreciate each employee's work and contribution to our success. We believe that our employees are entitled to be treated fairly and with respect.

We provide equal opportunity and equal treatment in all aspects of employment to all employees and to all applicants for employment without regard to their race, color, religion, sex (including pregnancy, childbirth and related medical conditions), national origin, age (40 and over), citizenship, physical or mental disability, or military obligations. We will make reasonable accommodations upon request to ensure equal employment opportunities for qualified disabled individuals, provided that such accommodation does not constitute an undue hardship on the City. A disabled individual is qualified for a job if he or she can, with or without reasonable accommodation; perform the essential functions of his or her job.

We expect all employees, including all supervisors and managers, to respect the feelings of fellow employees, and to treat fellow employees in a courteous and professional manner. We will not tolerate any form of harassment of our employees. Harassment includes any hostile, intimidating, offensive, insulting or demeaning words or conduct. Specifically forbidden is harassment because of a person's sex, race, color, national origin, religion, age or disability.

*Examples* of prohibited harassment include:

- Offensive, insulting or demeaning remarks, gestures, jokes, pranks, slurs and graffiti about a person's sex, race, color, national origin, religion, age or disability.
- Managers' or supervisors' use of threatening, intimidating, demeaning or insulting words or actions in dealing with employees under their supervision, particularly any derogatory comments about an employee or about an employee's job performance related to the employee's race, sex, national origin, religion, age or disability.

Harassment of our employees is forbidden and will result in disciplinary action, which may include discharge.

We maintain a professional workplace that is free from sexual harassment. Managers and supervisors shall not threaten or insinuate that an employee's refusal to submit to sexual advances or any other form of sexual harassment will adversely affect the employee's continued employment, pay, benefits, working conditions or job opportunities. Similarly, managers and supervisors shall not state or imply that submission to sexual advances or any other form of sexual harassment will in any way enhance an employee's employment opportunities, hours, pay, benefits, or any other terms or conditions of employment. No manager or supervisor has any authority to take any adverse action against an employee, including discharge, demotion, or reducing the employee's work hours, benefits or pay, because the employee refuses to submit to sexual advances or any other form of sexual harassment. Similarly, no manager or supervisor has any authority to give an employee preferential treatment because the employee does submit to sexual advances or any other form of sexual harassment.

Any verbal or physical conduct of a sexual nature that could contribute to a hostile or offensive workplace for any employee, whether committed by a manager, a supervisor, an employee or any other person (including a contractor or customer), is prohibited. *Examples* of prohibited conduct include:

- Use of profane or vulgar language;
- Unwelcome sexual flirtations, sexual advances or sexual propositions;
- Sexually-oriented or suggestive jokes or comments;
- Comments about a person's body or sex life;
- Sexually degrading words, including sexual slang, used to describe any person;

- Physical contact of a sexual nature, including unwelcome or inappropriate touching, pinching, patting, grabbing or hugging;
- The display in the work place of sexually oriented or suggestive pictures or objects;
- Sexually suggestive or vulgar graffiti, including words and drawings;
- A supervisor's or manager's comments suggesting that an employee will suffer employment consequences, such as demotion, discharge or denial of a pay raise, if s/he does not agree to sexual demands or if s/he complains about offensive sexual behavior or any other form of harassment;
- Comments suggesting that an employee will receive favorable employment treatment in exchange for sexual favors.

## **Complaint Procedure**

You *must* promptly report any incident of harassment or any other violation of our EEO/Harassment Policy directly to the Personnel Officer (telephone no. 968-1147 or 968-2425). All supervisors and managers have a responsibility to prevent harassment and to stop it if it occurs. However, to ensure that the City can promptly investigate and, if appropriate, take prompt and effective action, it is essential that you promptly notify the Personnel Officer. Reporting harassment to your supervisor or manager is *not* sufficient. If your complaint is against or otherwise involves the Personnel Officer, or if for any other reason you do not believe the Personnel Officer can fairly receive your complaint, you must report any incident of harassment or other violation of our EEO/Harassment Policy directly to the City Administrator (telephone no. 968-1124).

All managers and supervisors have a responsibility to enforce our EEO/Harassment Policy. Our managers' and supervisors' responsibility includes immediately stopping any harassment that is observed or reported, and reporting any violations directly to the Personnel Officer or the City Administrator. Failure to do so will result in disciplinary action, which may include discharge.

The Personnel Officer will thoroughly investigate all complaints. The employee may be required to prepare a written report detailing the alleged harassment or any other violation of our Policy, and to sign the report. To the extent practicable, the investigation will be confidential with due regard for the sensitive nature of such complaints. If, after completing our investigation, we determine that a complaint is valid, we will take prompt and appropriate disciplinary action against the person or persons engaging in such conduct. Depending upon the severity of the violation of our policy, appropriate discipline may be discharge of the employee.

We encourage you to come forward if you have a complaint. We assure you that no adverse action will be taken or allowed against any employee who in good faith reports harassment or any other violation of our EEO Policy.

# OPEN DOOR POLICY

To do your job effectively, you must be able to work together with your fellow employees, supervisors and managers. Even in the best of circumstances, however, problems can arise. We expect our employees to deal with problems in a professional manner so small problems do not affect the quality of our work.

To help resolve any problems that may arise, we maintain an "open door" policy for our employees. You may take any problem or complaint you may have directly to your supervisor, Department Head, City Administrator, or the Personnel Officer. **However, if an employee has a discrimination or harassment complaint covered by the City of Gulf Shores' Equal Employment Opportunity/Harassment Policy, the employee must use the complaint procedure found in that policy.**

Most problems, of course, can best be handled with your immediate supervisor. If you cannot resolve a problem with your supervisor, or if for some reason you feel you cannot talk freely to your supervisor about the problem, you may go directly to your Department Head or the Personnel Officer. Just call to schedule a meeting, or ask your supervisor to schedule a meeting for you. You will have the opportunity to discuss your problem and, hopefully, to work out a satisfactory resolution.

Our open door policy works best when you follow our procedure of scheduling a meeting, rather than making a spur of the moment visit. Anyone who is interrupted suddenly may not have the time to give your problem the full attention it deserves.

# GENERAL EMPLOYMENT INFORMATION

At the City of Gulf Shores, we believe successful productivity comes from well-informed and appreciated employees. Every effort will be made to assist you in finding work suitable to your interest and qualifications. In addition, opportunities for increased learning and self-advancement will provide you with progressive mobility. These elements, plus cooperation, teamwork, and a positive attitude, will help us assure the delivery of high quality work. The following policies incorporate these ideals:

## **Employment Process--Application and Selection**

(1) *Application forms.* To insure the accuracy and completeness of its records, all individuals who wish to be considered for employment must complete and sign a City employment application form for each position for which application is made. The City requires accurate, truthful and complete answers to the questions included on the employment application form. A refusal to supply requested information or a falsification of information may result in elimination of the application from consideration or termination if falsification is discovered after the commencement of employment. Complete application forms submitted to the Personnel Department will not be returned once submitted.

(2) *Processing of applications.* All applications must be received by the Personnel Department during the period of the posted job opening to be considered a valid application. Applications for the positions of Police Officer, Firefighter, Dispatcher, and all part-time, temporary and seasonal employment are accepted on a continuous basis and remain active for a period of 90 days. Employees are selected on the basis of their qualifications to effectively and efficiently perform the job for which they have applied. However, preference *may* be given, but is *not required* to be given, to current, eligible full-time City employees provided they meet the following eligibility requirements: (1) demonstrated ability to meet the minimum qualifications included in the job description and vacancy announcement; and (2) employment in the present job at least six months. Employees meeting these eligibility requirements should submit an application to the Personnel Department. Applications will be

received from part-time and temporary employees, as well as non-employees. Part-time and temporary employees may be given preferential consideration over any other applicant. Prior employment will not count as continuous years of service if a part-time or temporary employee is subsequently hired as a full-time regular classified employee. If a sufficient applicant pool is not obtained, the vacancy may be reposted in an effort to solicit additional qualified applicants.

Applications received shall be screened for required and/or basic qualifications. All qualified applicants shall be examined for qualifications by application review, and/or by written and/or performance tests relating to training and experience, and/or by personal interview. The Department Head shall select the best-qualified person for the job and notify the Personnel Officer in writing of the selection. If the Personnel Officer is satisfied that the best-qualified applicant was selected, he/she, upon approval by the Mayor, shall extend a conditional offer of employment as provided.

## **Employment Offer**

All offers of employment must be approved by the Mayor. After the Mayor approves the candidate selected by the Department Head, the Personnel Department will prepare a written conditional offer. The candidate will be required to sign and date an acceptance of the written offer and sign a copy of the position's job description. No recipient of a conditional offer of employment may begin work until the satisfaction of all conditions, including background and criminal record checks and any applicable medical examination or drug and alcohol screening.

## **Employment Eligibility Verification**

New employees must present documentation verifying employment eligibility. A driver's license and social security card or birth certificate is the most frequent means of verification of employment eligibility; however, any of the forms of identification enumerated on Department of Homeland Security Form I-9 will be accepted.

## **Background Investigations**

The Personnel Department will verify references and background information provided by candidates on application forms, resumes and in interviews. In reviewing qualifications and backgrounds of candidates for certain jobs, such as positions involving financial or fiduciary accountability, security-related issues or unsupervised access to minors, the Personnel Department may use the services of outside investigative agencies to conduct credit or background checks on individuals. Applicants may be disqualified or dismissed from employment as a result of background checks.

## **Post-Offer Employment Physical and Drug Screening**

After a conditional offer of employment has been made and before the applicant begins work, the City requires certain applicants for safety-sensitive, security-related or fiduciary positions, or those involving unsupervised access to minors, to undergo a medical examination and a test for controlled substances. The purpose of the medical examination is to determine if the individual is able to perform the essential functions of the job, with or without reasonable accommodation, and without posing a direct threat to the health or safety of the applicant, other employees, or the public. All job offers are contingent on the candidate passing the physical examination and drug screen. Applicants who test positive for a controlled substance will not be hired.

Knowingly providing false, misleading or materially incomplete information during the medical examination process is a ground for withdrawal of the conditional job offer or dismissal from employment if discovered after the employee begins work.

## **Employment Status**

Each employee will be assigned a classification when he or she is hired. The City of Gulf Shores generally has several employee classifications:

(1) *Mayor, Council, & Officials.* (Category Code A) Employees in this status are elected officials or appointed officials, such as municipal judges and municipal attorneys. These employees may be considered full-time for benefit purposes.

(2) *Unclassified*. (Category Code B) All employees in this status, such as the City Administrator, City Clerk, Fire Chief, Police Chief, Public Works Director, **Director of Finance and Administrative Services, Recreation and Cultural Affairs Director**, and the Planning Director are appointed by the Mayor and are employed at the will of the Mayor.

(3) *Classified*. (Category Code C) All employees in this status are regular full-time employees with an expectation of at least 40 hours per workweek for the duration of employment.

(4) *Firefighter*. (Category Code K) A firefighter of the City of Gulf Shores Fire Department who has satisfied the requirements of Code of Alabama 1975, § 36-32-7, and the rules and regulations adopted by the Alabama Firefighters Personnel Standards and Education Commission and certified by that commission as a firefighter and classified as firefighter/EMT, firefighter/Paramedic, fire lieutenant, fire captain, or line battalion chief.

(5) *Police Officer*. (Category Code L) A sworn police officer of the City of Gulf Shores Police Department who has satisfied APOST (Alabama Peace Officers Standards and Training, § 36-21-40, Code of Alabama) requirements, been certified as such by said agency and classified as police officer, police corporal, police investigator, or police sergeant.

(6) *Probationary*. (Category Code M) All full-time employees will complete a probationary period upon initial employment with the City for a period one year.

(7) *Regular Part-time employees 30 hours per work week*. (Category Code D) All employees in this status are regular part-time hourly employees with an expectation of at least 30 hours per work week for the duration of employment. Employees in this category serve at the will of the Mayor and are not eligible to receive fringe benefits offered by the City with the exception that they (1) may elect individual coverage under the City's health insurance plan by paying half of the total per-employee premium that the City pays (*i.e.*, half of the combined premiums paid by the City and full-time employees for individual coverage) (2) shall accrue four hours of vacation and sick leave per full month of employment, (3) receive one-half compensation for holiday pay, and (4) will participate in the city's mandatory 401(a) retirement plan. Employees in this category will be placed in a grade and step and are

eligible for one-step annual merit increases. If an employee in this category fails to average 30 hours per week in any rolling three-month period, health insurance privileges will be forfeited and the employee may be subject to being reclassified. (Resolution 4310-07)

(8) *Regular Part-time employees 20-30 hours per work week.* (Category Code E) All employees in this status are regular part-time hourly employees with an expectation of at least 20 hours per work week for the duration of employment. Employees in this category serve at the will of the Mayor and are not eligible to receive fringe benefits offered by the City with the exception that employees in this category shall (1) accrue four (4) hours of vacation and sick leave per full month of employment, (2) receive one-half compensation for holiday pay, and (3) will participate in the city's mandatory 401(a) retirement plan. Employees in this category will be placed in a grade and step and are eligible for one-step annual merit increases. If an employee in this category fails to average 20-30 hours per week in any rolling three-month period, the employee may be subject to being re-classified.(Resolution 4310-07)

(9) *Regular Part-time employees less than 20 hours per work week.* (Category Code F) All employees in this status are regular part-time hourly employees with an expectation of less than 20 hours per work week for the duration of employment. Employees in this category serve at the will of the Mayor and are not eligible to receive fringe benefits offered by the City.

(10) *Temporary employees.* (Category Code G) A temporary employee is defined as an employee hired for a limited period of time not to exceed 180 calendar days. If warranted, temporary employment may be extended an additional 180 calendar days by the Mayor. This status may require part-time or full working weeks. Temporary employees are not eligible for any fringe benefits.

(11) *Contingent/On-Call.* (Category Code H) Employees in this status have no regular schedule but are on-call to work irregular hours contingent on the needs of the city.

(12) *Seasonal.* (Category Code J) Employees in this status work on a seasonal basis and are not eligible for overtime and will be paid for all hours worked at straight time.

## **Probationary Period**

Employees selected for a job with the City of Gulf Shores, including new hires and rehires, must successfully complete a one-year probationary period. The probationary period is an integral part of the selection and evaluation process. The probationary period provides the employee an opportunity to demonstrate his/her suitability for the position and provides the City an opportunity to evaluate the employee's ability to perform the job. New employees are eligible to participate in the City's health, life, accidental death and dismemberment, dental/vision, and long-term disability insurance plans on the first day of the calendar month following completion of the required 30-day waiting period for these benefits. New employees who work in a non-temporary capacity on at least a one-half time basis must participate in the City's section 401(a) defined benefit retirement plan as of the date of hire. New employees may participate in the City's voluntary section 457 deferred contribution plan on the first day of the month following the date of hire.(Resolution 4246-07)

Employees who have not completed the probationary period do not have access to the Grievance Procedures set forth below. However, probationary-period employees are covered by the Equal Employment Opportunity/ Harassment Policy and *do* have access to the Complaint Procedure under that policy. Probationary-period employees may also utilize the City's Open Door Policy.

The City may extend the one-year probationary period if deemed necessary to evaluate properly the employee's performance. The probationary period will not extend beyond twelve months.

During the probationary period, the employee's supervisor and/or Department Head will prepare one or more written performance evaluations. The evaluations will be reviewed with the employee, who is required to sign the evaluation acknowledging that it has been reviewed with the employee. Employees failing to complete satisfactorily their probationary period will be dismissed.

## **New Employee Orientation**

All new employees are required to attend General Orientation. Information pertaining to the City's mission, organization structure, personnel policies and employee benefits will be presented. In addition, Department Heads will provide specific departmental policies and procedures, along with further instructions about job tasks.

## **Job Descriptions**

A job description for every job is created and available to each employee. This description is used for recruitment and the core responsibilities are used for annual employee evaluations and organizational structure. Additional tasks may be assigned based on the City's operational needs.

## **Performance Assessment Review Program (PAR)**

The City of Gulf Shores believes that an employee must know what is expected of him or her before he or she can meet these expectations. If the employee has an opportunity to participate in formulating and developing the criteria upon which his/her performance will be measured, the entire process will be enhanced in terms of credibility and validity. The consensual approach between supervisor and employee in developing the job criteria is directly job related, encourages a joint commitment to the process and "bonds" the everyday working relationship between the two.

To achieve the City's goal of training, promoting and retaining the best qualified employee for each job, the City of Gulf Shores has implemented an employee performance evaluation program which utilizes both employee and supervisor input. Performance evaluations are designed to provide an objective method for reviewing an employee's job performance in accordance with pre-established performance standards. Performance evaluations are used to assess an employee's work performance during a specified time frame so that the actual performance and success as an employee can be rewarded.

Each employee will be evaluated by his or her supervisor and Department Head prior to completion of the City's probationary period and at least once each year thereafter in connection with the employee's annual pay review. This method gives employees an

opportunity to provide input into their performance evaluation, identify learning needs, and highlight areas of excellent performance they have had during the evaluation period. In addition to an annual review, supervisors may also complete performance appraisals upon request by a Department Head, the City Administrator, or the Mayor.

The process should be approached as a growth opportunity: a time to commend employees for their good work and to identify improvements that need to be made. All managers and supervisors are encouraged to provide positive feedback throughout the evaluation period and to work with their employees to identify learning needs on an on-going basis so additional training can be provided throughout the year. By requiring assessments of performance, the entire process becomes one of a continuing nature based on real, day to day events, occurrences and results. It should not be considered a laborious exercise of a short, arbitrary duration.

Supervisors, when completing evaluations, will prepare a written PAR of each employee's job performance. The appraisal will include the supervisor's comments and recommendations, an action plan for both the employee and supervisor, and performance goals for the next evaluation period.

Department Heads will review each supervisor's written PAR to help assure that the evaluation function has been properly completed in as fair and objective a manner as possible.

Information derived from the PAR may be considered when making decisions affecting an employee including, but not limited to, decisions concerning training needs and opportunities, pay, promotion, transfer, or continued employment.

After the PAR has been reviewed by the Department Head, the supervisor and employee will meet and discuss the evaluation, assess the employee's strengths and weaknesses in a constructive manner, and set objectives and goals for the period ahead. The employee will be given the opportunity to examine the PAR and make written comments about any aspect of it.

Employees are required to sign their evaluations to acknowledge that the evaluation and review was performed. If an employee disagrees with a performance evaluation, the

employee may note such disagreement on the evaluation form and request a review of the evaluation through the City's grievance procedure. A PAR resulting in probation or moving back steps in the Pay Plan should be considered disciplinary in nature and is subject to the grievance procedures.

These procedures are only guidelines. The City may unilaterally modify or revoke them in whole or in part from time to time. Accordingly, these procedures are not a promise or contract, express or implied that they will be used in every instance.

## **Promotion and Transfers**

Employees may apply for a transfer or promotion to vacant positions. Prior performance, skills, knowledge, experience, education, ability to perform the job, and recommendation from the employee's current Department Head will be considered in making promotion and transfer decisions. Promotion does not ensure continued employment in the new position, and there is no guarantee the employee will be allowed to return to his or her former position if the employee is unsuccessful in the new job. Employees who are promoted before completing the required probationary period will begin a new one-year probationary period on the first effective day of the promotion.

## **Demotion**

A "demotion" is a change from one position to a position in a lower pay grade. Employees may be involuntarily demoted based upon job performance, for disciplinary reasons, or based upon the needs of the City. Employees may also be voluntarily demoted to an open position upon the request of the employee. If an employee is demoted, the City will determine whether a pay reduction is appropriate and, if so, what amount.

## **Vacancy/Announcement of New Positions**

When a vacancy or new position becomes available, it will be posted on all bulletin Boards located throughout the City workspaces, on the "job openings bulletin board" in City Hall, and on the City's web site. If the vacancy is an internal posting it will be posted for five working days prior to posting for outside recruitment. All outside recruitment postings shall be posted a minimum of 14 days. The posting will include job title, class, department, job functions, qualifications, and application deadline. (Resolution 4596-08)

## Attendance and Tardiness

Good attendance is a mark of dependability. While personal circumstances, often beyond the employee's control, will sometimes necessitate lost work time, absenteeism and tardiness must be kept to a minimum. "Tardiness" includes reporting for work after your scheduled starting time, leaving work early, leaving work before your scheduled meal break or returning to work late from your meal break, unless the employee has prior approval from his/her supervisor.

Good attendance is an essential function of each job. If an employee cannot report for work, the employee must notify his/her supervisor in a timely manner. If an emergency causes an employee to be late for or absent from work, and the employee is not able to notify the appropriate supervisor before the normal reporting time, the employee should contact the supervisor as soon as possible. The employee should advise the supervisor of the reason for the absence or tardiness and when the employee expects to return to work.

If an employee becomes ill during the workday, the employee should notify his/her supervisor or another member of management before leaving work. Employees who leave work without notifying their supervisor or another member of management are subject to discipline, including discharge.

An employee who is absent from work should contact his or her supervisor each day, unless the employee has previously advised the supervisor of the expected duration of the absence, or the employee is on an approved leave of absence. Except in exceptional circumstances as determined in the sole discretion of the employee's Department Head, an Employee who fails to contact his or her supervisor as required will not be able to utilize sick leave or vacation time to cover the absence, resulting in the loss of pay for the day.

The employee's Department Head will determine whether an employee's stated reason for an absence and supporting documentation, if required, is sufficient for an absence to be classified as "excused." The City maintains attendance records, which include the reasons the employee has given for missing work. *Unexcused* absenteeism or tardiness is a ground for discipline, including discharge. Even *excused* absenteeism or tardiness, however, is a ground for discharge if it becomes excessive. Approved leaves of absence, including family and medical leave, military leave, jury duty leave, and bereavement leave will not be deemed

an absence and will not be considered in determining whether absenteeism is “excessive.” An employee who is absent without excuse for three consecutive working days will be considered a "voluntary quit."

## **Employee Conduct Generally**

Because we strive to hire the finest people as employees, the City of Gulf Shores expects everyone to be honest, hard working, professional and cooperative. We recognize our employees need to know what is expected of them, so the employee can meet our expectations. Rules of conduct are essential for a safe, happy and productive workplace. Of course, rules must be enforced to be effective. You must abide by all rules, policies and procedures, including our safety rules. Remember, rules are for your protection as well as for the protection of others.

Conduct that interferes with the operations of the City, discredits the City, or is offensive to residents, customers or fellow employees will not be tolerated. All employees are expected to conduct themselves and behave in a manner that is conducive to the efficient operation of the City. The City has established minimum standards of personal conduct. Among the City’s expectations are:

- Reporting to work punctually as scheduled and being at the proper workstation, ready for work, at the assigned starting time.
- Notifying the appropriate supervisor in advance when an employee will be absent from work or unable to report for work on time.
- Complying with all City safety regulations.
- Smoking only at time and in places not prohibited by the City rules or local ordinances.
- Wearing clothing appropriate for the work being performed.
- Maintaining work place and work area cleanliness and orderliness.
- Treating all customers and fellow employees in a courteous manner.
- Refraining from offensive or undesirable behavior or conduct
- Performing assigned tasks efficiently and in accordance with established quality standards.

- Reporting to management suspicious, unethical, or illegal conduct by fellow employees, customers, or suppliers.
- Preserving and protecting City equipment, facilities, and resources.

## **Investigation of Misconduct**

To protect our employees and our residents, the City must be able to investigate suspected unauthorized conduct. Employees are required to cooperate and to assist management in investigating unauthorized conduct. While on City property, employees may be required to submit to a reasonable search of clothing, purses, lunch boxes, desks, tool boxes or other containers, and personal vehicles. An employee's refusal to cooperate in an investigation, including a refusal to submit to a search or controlled substance or alcohol test, if requested to do so, is a ground for discipline, including discharge.

## **Employee Misconduct Generally**

The following activities are prohibited by City ordinance and will result in disciplinary action, which may include oral or written warning, demotion, suspension or discharge.

1. Horseplay, practical jokes or pranks.
2. Fighting.
3. Reporting to work under the influence of alcoholic beverages and/or illegal drugs; the use, sale, dispensing, or possession of alcoholic beverage and/or illegal drugs on the City's premises, in City vehicles or equipment, or City worksites; or any other violation of our "Alcohol and Drug Abuse Policy."
4. Insubordination.
5. Intentionally or carelessly damaging City property, customer property or co-workers' property.
6. Dishonesty.
7. Unexcused or excessive absenteeism or tardiness.
8. Unauthorized use or disclosure of confidential information.

9. Carelessness resulting in either an unsafe condition or an accident, including sleeping on the job.
10. Falsifying or altering any City record or report, such as application for employment, medical report, production record, a time record, an expense account, an absentee report, a test sample report, or shipping and receiving records.
11. Unauthorized use or misuse of City property or equipment.
12. Possession of firearms or other weapons at work, except as required by one's employment with the City.
13. Harassing or threatening fellow employees, customers or visitors (*see e.g.*, EEO policy on "Sexual Harassment").
14. Failure to wear assigned safety equipment or violation of established safety rules.
15. Unauthorized use of a City bulletin board.
16. Gambling at work or on City property.
17. Unauthorized solicitations or distribution of written material.
18. Failing to report on-the-job accidents or injuries.
19. Neglect of assigned duties.
20. The use of profanity or abusive language.
21. Theft, destruction, defacement, or misuse of City property or of another employee's property.
22. Smoking or using smokeless tobacco, if prohibited by local ordinance or City rules.
23. Improper attire or inappropriate personal appearance.

24. Unsatisfactory job performance.
25. Violation of City policies or procedures.
26. Commission or conviction of a felony offense.
27. Ethics violations.

The examples above are illustrative behavior that will not be permitted, but they are not intended to be all-inclusive. In addition to the foregoing rules, common sense should guide employee behavior. Gossiping, needless complaining, loud talking and profane language are out of place and unacceptable. Instead, courteous and considerate behavior towards co-workers and customers is always appropriate. If an employee has any question about a course of conduct he or she intends to pursue, he or she should consult with his or her Department Head.

The City of Gulf Shores has developed its rules of conduct to guide employee on-the-job behavior. Employees should become thoroughly familiar with these rules. If you have questions, ask your supervisor. You should understand, however, that the general rules are not an all-inclusive list of the grounds for discipline or discharge and do not limit the City's discretion to discipline or discharge for other reasons that the City deems sufficient. Moreover, the nature of the discipline imposed for misconduct may be affected by the circumstances surrounding the particular incident. In each case, management will decide the appropriate discipline.

### **Insubordination**

The City of Gulf Shores expects its employees to perform their job assignments promptly and to carry out all instructions from supervisors or other members of management. Refusing or failing to carry out instructions, including an unreasonable refusal to work overtime, is a ground for discipline, including discharge. Any verbal abuse of a supervisor, including profanity or name calling, is a ground for discipline, including discharge.

### **Dishonesty**

Dishonesty includes, but is not limited to (i) theft or unauthorized possession of City property, customer property or your fellow employee's property, (ii) failure to report known

or suspected theft, and (iii) providing false information for any employment-related purpose, including time records. Employees must have the Department Head's permission before City property can be removed from the workplace.

### **Lost or Damaged Property**

If an employee negligently loses or damages City property, another employee's property, or a third party's property, the employee may be required to reimburse the owner for any expense the owner incurs. If an employee intentionally or recklessly damages City, customer or employee property, the employee will be subject to disciplinary action, including discharge.

### **Employee Discipline**

At the City of Gulf Shores, discipline is not merely punishment. We use discipline to help employees become aware of their conduct and performance requirements when their behavior or performance fails to measure up to acceptable standards. The supervisor's and Department Head's role is to alert the employee to the fact that the employee's behavior or performance is not meeting expected standards and to make the expected standards clear. It is the employee's responsibility to make the necessary changes.

We expect our employees to accept responsibility for their own behavior; to follow our policies, procedures and rules; and to perform their jobs to the best of their abilities. If an employee fails to meet our expectations, we generally take corrective action. Our purpose is to maintain a safe and pleasant workplace for our employees and to treat our employees fairly.

The City has developed its rules of conduct to guide employee on-the-job behavior.

Employees should become thoroughly familiar with these rules. If you have questions, ask your supervisor or Department Head. You should understand, however, that the general rules are not an all-inclusive list of the grounds for discipline or discharge and do not limit the City's discretion to discipline or discharge for other reasons that the City deems sufficient. Moreover, the nature of the discipline imposed for misconduct may be affected by the circumstances surrounding the particular incident. In each case, City management will decide the appropriate discipline.

Violations of rules of conduct or employment policies or procedures (including any misconduct City management deems unacceptable in the workplace) may result in discipline, including discharge. Unsatisfactory job performance also may result in discharge.

For employees who have completed their probationary period, the City normally will use progressive discipline ranging from a verbal or written warning (verbal or written counseling for unsatisfactory job performance), to suspension and discharge. The City reserves the right, however, to determine whether misconduct or performance shortcomings are so unacceptable that immediate discharge is warranted for the first offense.

### **Step 1                      Verbal Warning**

The first step will generally be a verbal warning or verbal counseling. When employee conduct or performance fails to meet the requirements or standards, the supervisor will tell the employee about the unacceptable behavior or performance, make the employee aware of needed changes, and counsel the employee concerning possible approaches for eliminating the unacceptable behavior or performance. The employee's supervisor will include a memo of the warning or counseling in the employee's personnel file. Employees are required to sign the memo to acknowledge that the supervisor warned or counseled the employee.

## **Step 2            Written Warning**

The second step will generally be a written warning or counseling memorandum from the employee's supervisor. The purpose of a written warning is to make sure the employee understands that his or her behavior or performance is not acceptable, and is fully aware of how to change the behavior or performance to meet the standards. The written warning will describe the unacceptable conduct or performance shortcoming. The supervisor will review the memorandum with the employee and the employee is *required* to sign the memorandum to acknowledge that the supervisor did so. An employee's signature does not mean that the employee agrees with the memorandum. A copy will be maintained in the employee's personnel file.

## **Step 3            Suspension**

For serious or on-going disciplinary violations, employees may be suspended without pay to provide the employee an opportunity to reflect seriously upon his/her conduct and decide whether the employee is capable or willing to meet the City's standards of behavior and performance. The length of the suspension will vary depending upon the severity of the offense or performance shortcoming and the employee's prior disciplinary or performance record. If warranted, an employee may be suspended as the *first* step in the process.

## **Step 4            Termination**

The final step is discharge. Employees who fail to improve their conduct or performance after progressive discipline will be discharged. As stated, however, the City reserves the right to discharge an employee without first giving a verbal or written warning, probation, or a suspension, if the City determines that the conduct justifies immediate discharge.

If you feel that you have been disciplined or counseled unfairly, you may use our "open door" policy or grievance procedure to obtain a review of the action. You should do so within 24 hours after you are advised of the corrective action.

Any step in the progressive discipline procedure described above may be bypassed if an employee's overall disciplinary history, or serious nature of the employee's misconduct shows the employee cannot meet the City's standard or performance requirements, or if the

nature of the violation is so serious that it reveals that the employee requires more severe discipline to change his/her behavior or performance as required. If the nature or extent of the violation is so serious that it indicates the employee is incapable or unwilling to meet the City's standards, the employee may be terminated without prior disciplinary steps.

### **Pre-Disciplinary Review**

Before an employee is subjected to a disciplinary suspension without pay, a disciplinary demotion that results in a loss of pay, or termination, the employee will have the opportunity to obtain review of the proposed discipline by the employee's Department Head. Before such disciplinary action is taken against an employee (including regular full-time, regular part-time, probationary and temporary employees) the Department Head will consult with the Personnel Officer, and the employee shall be advised of the reason for the proposed discipline and the nature of the proposed discipline to be imposed. If the employee desires the opportunity to respond to the proposed discipline before discipline is imposed, the employee shall deliver a written request for review, signed and dated by the employee, to the Personnel Officer within two working days after the employee receives notice of the proposed disciplinary action. If the employee timely delivers notice of a request for review, a pre-disciplinary review will be scheduled with the employee's Department Head and the Personnel Officer within three working days, unless the time is extended by the Personnel Officer for business reasons.

At the pre-disciplinary review, the employee will have the opportunity to present any response the employee may wish to provide to the reason for the proposed discipline or the nature of the discipline to be imposed. The employee may provide any documents the employee wishes the Department Head to consider. The pre-disciplinary review is the opportunity for the employee to give his or her "side of the story" before the decision is made to impose discipline. The pre-disciplinary review shall be informal.

Following the pre-disciplinary review, the Department Head will make the decision whether discipline should be imposed and, if so, the nature of the discipline to be imposed; *provided* any dismissal, demotion or suspension of an employee longer than 30 days must be approved by the Mayor. At that time, the City will proceed with the disciplinary action. Within five working days after the pre-disciplinary review, the Personnel Officer will deliver written

notice to the employee confirming the decision of the Department Head. In the discretion of the Department Head based on the best interest of the City, an employee may be suspended with pay pending completion of the pre-disciplinary review. The decision of the Department Head to issue a verbal or written disciplinary warning is *not* subject to the pre-disciplinary review procedure.

If a *regular full-time* employee wishes to request a post-discipline hearing of a disciplinary suspension without pay, a demotion that results in a loss of pay, or dismissal, the employee may file a grievance under the Grievance Procedure described below and request review by the City's Personnel Board. Part-time, probationary and temporary employees do *not* have access to the Personnel Board. Additionally, *unclassified employees* comprise the Mayor's executive staff and serve solely at the Mayors' pleasure. *Unclassified employees* are subject to discipline, including dismissal at the discretion of the Mayor. Unclassified employees and Appointed Officials do not have access to the Personnel Board or the Grievance Procedure.

A request for pre-disciplinary review is not a substitute for a complaint under the City's "EEO/Harassment Policy." If an employee believes that any disciplinary decision violates the City's "EEO/Harassment Policy," in addition to seeking a pre-disciplinary review, the employee *must* utilize the "Complaint Procedure" under the "EEO/Harassment Policy."

## **Problem-Solving/Grievance Procedure**

The City recognizes that sometimes situations arise in which an employee feels that he or she has not been treated fairly or in accordance with City policies. For this reason, the city provides an "Open Door" policy that employees may use to seek review of *any* employment-related complaints, such as (1) any inquiry regarding the application, meaning or interpretation of personnel policies, rules and regulations as they affect the work activity of such employee or employees, (2) complaints of unsafe or unhealthy working conditions, (3) complaints regarding pay grades, wages, salaries, holidays, establishment of working hours, pension plans or (4) other matters involving work conditions.

A regular full-time employee who seeks review of a post-disciplinary decision imposing a disciplinary unpaid suspension, a disciplinary demotion that results in loss of pay, or dismissal, may file a "grievance" under this Grievance Procedure. However, if an employee

believes that a disciplinary action violates the City's "EEO/Harassment Policy," the employee also must use the "Complaint Procedure" under the "EEO/Harassment Policy" in addition to filing a grievance.

If the employee wishes to file a grievance under the Grievance Procedure, the employee must prepare a written grievance and deliver the grievance to the Personnel Officer within three working days after the employee is notified of a final disciplinary action (suspension without pay, demotion resulting in loss of pay or dismissal). The grievance should describe the disciplinary action taken and the reason(s) the employee believes the disciplinary decision should be changed or rescinded. If the employee believes that a specific City policy or procedure has not been followed or has been misapplied, the employee should identify the policy or procedure. The grievance should also include the remedy sought by the employee. The grievance must be signed and dated by the employee.

The Personnel Officer will forward the employee's grievance to the City's Personnel Board. As soon as practicable, the Personnel Board will schedule a hearing on the grievance. The employee, the Department Head and the Mayor shall be given written notice of the time, date and place of the hearing. The Personnel Board will hear the employee grievance and issue a decision on the grievance.

The Personnel Board's hearing shall be open to the public *unless* the character or good name of the employee is at issue and the employee requests a closed hearing. The hearing shall be informal. The Personnel Board is not required to follow rules of procedure or rules of evidence applicable in court or administrative proceedings. The employee shall have the right to appear, to present testimony, documents and witnesses, to question witnesses offered by any other party, and to be represented by legal counsel. The City shall have the same rights in responding to the employee's grievance. The Personnel Board, in its discretion, may allow any other party whom the Board deems to have an interest in the grievance proceeding to appear and to exercise the same rights to participate in the hearing. If the employee fails to attend the hearing or to notify the Chairman of the Personnel Board that, for good cause, he or she will be unable to attend the hearing, the Board shall dismiss the appeal. The Personnel Board may approve, disapprove or alter the decision that was appealed. Within ten calendar days after the hearing, unless the Board for good cause extends the time, the Personnel Board

will issue a final decision on the grievance. The decision of the Personnel Board is the final action that will be taken by the City on the employee's grievance.

The Personnel Board shall not have any authority to disapprove or modify any adverse employment action (including but not limited to dismissals resulting from job elimination or a reduction in force) implemented by the Mayor with the approval of the City Council based upon budgetary or other financial constraints.

Part-time employees, probationary employees, temporary employees, unclassified employees, and Appointed Officials do *not* have access to the Grievance Procedure.

## **Termination Processing Procedure**

The City of Gulf Shores recognizes four types of termination:

1.     **Resignation.** If an employee finds it is necessary to resign, the employee should give at least two week's written notice to the employee's supervisor. The notice should include the reason for leaving and the proposed final date of work. The advance notice gives the City the opportunity to find a replacement. Employees who properly resign and later wish to be considered for re-employment will be eligible for rehire if they maintained a satisfactory performance and attendance record when they worked for the City. Employees who properly resign are eligible for payment for accumulated vacation time. At the sole discretion of the Mayor, exceptions to the advance notice requirement may be made in emergency situations in which advance notice of resignation is not practicable.
2.     **Voluntary Quit.** An employee who quits *without* proper notice is classified as a voluntary quit. This is a poor practice. An employee who quits without proper notice generally will *not* be considered for re-employment. Absences on three consecutive days without notifying the City will be considered a "voluntary quit."
3.     **Discharge.** Discharge includes involuntary termination of employment by the City for any reason. Although employees are subject to discharge at any time and for any reason, with or without prior notice, discharge generally involves

economic cutbacks, unsatisfactory job performance, or discharge for disciplinary reasons.

4. **Retirement.** Retirement is a voluntary retirement by the employee from City employment. An employee is eligible to receive retirement benefits if he or she has at least 10 years of service credit and has attained the age of 60, or after accumulating 25 years of service credit at any age.(Resolution 4129-06)

An eligible employee is able to retire on the first day of the month following attainment of age 60 with 10 years of creditable service or the first day of the month following attainment of 25 years of service credit. Employees can only retire on the first day of the month in which they are eligible. Eligible employees can convert a maximum of 960 hours of unused sick leave to service credit to meet the minimum requirement for service retirement. (See Unused Sick Leave).(Resolution 4129-06)

Before leaving the City's employ, all terminating employees must come to the Personnel Department to make arrangements for all terminal clearance, return all City property, and resolve benefits questions.

## **Exit Interview**

If your employment terminates, you should attend an exit interview with your Department Head and the Personnel Officer before the effective date of your termination. One purpose of the exit interview is to ensure that the termination is not based upon a misunderstanding. Exit interviews also allow the City to obtain information to improve our organization. The information you share will not reflect on your work record. We also review eligibility to continue certain benefits and arrange your final pay during the exit interview. Your final pay check will be issued on the next regularly scheduled payday.

## **Re-Employment**

If you leave the City, with a satisfactory record and adequate notices, you will be considered to have terminated employment in good standing and will be eligible for consideration for re-employment.

Employees, who resign in good standing, may apply for re-employment by completing an employment application in the Personnel Department. A candidate for re-employment is required to meet all the requirements for employment just as if he or she were a new employee.

## **Employment References**

The City generally does not give employment references. No manager, supervisor or other City representative is authorized to give an employment reference on behalf of the City or to release any other information about your employment to your fellow employees or to anyone outside of the City. If an employee or former employee submits a written request to the City, we will verify employment, provide the dates the employee was employed and provide the employment position held. Your request must be in writing, signed and must specifically consent to the disclosure of this information to a specified person or business.

## **Compensation upon Separation from Employment**

Upon separation from employment, employees will receive the following compensation on the next regularly scheduled payday:

1. Regular pay for all hours worked up to the time of separation.
2. Employees who resign in good standing (*i.e.*, have given two weeks prior written notice) or retire, and employees who are dismissed for reasons other than misconduct, will be paid accumulated but unused vacation.
3. In the event of the death of an employee, all compensation due as of the date of death shall be paid to the employee's designated beneficiary or to the employee's estate, as applicable.

The City will deduct from the employee's final paycheck any amount owed to the City. No employee will receive the final paycheck until the employee returns all City property, including keys, ID badges, etc. In addition, the employee's supervisor must be given any computer passwords used by the employee to access City databases, programs, or computers prior to the release of the final paycheck.

## **Secondary Jobs**

Employees of the City of Gulf Shores are expected to devote their full time and attention to the City and needs of its customers. Secondary employment that interferes with an employee's performance of his/her job duties for the City is prohibited. Current employees must report all secondary jobs to their Department Head. Applicants must report all secondary jobs to the Personnel Officer at the time of application for employment.

Employees who wish to work secondary jobs must obtain prior written approval from their Department Head and the Mayor. Copies of the form may be obtained from the Personnel Officer. Certain designated managers and professional and technical experts are expected to devote all of their working energies to the performance of their duties at the City and, therefore, may not accept outside positions.

Employees are prohibited from engaging in any activity that compromises the City's interest. Employees may not use their personal time to perform services for customers that are normally performed by City personnel. Employees may not use the City's tools or equipment for personal purposes. Unauthorized use of any confidential information is strictly prohibited. In addition, employees may not conduct any outside business during paid working time.

Department Heads generally will not approve outside work that will reduce the employee's efficiency in working for the City; involve an employer who does a significant amount of business with the City, such as major contractors, suppliers, and customers; may adversely affect the City's public image; or may create a liability situation for the City.

## **Employment of Family Members (Nepotism)**

No two persons from the same immediate family or household may be employed by the City without the express written approval of the Mayor and the City Administrator. Factors that the Mayor and City Administrator may, but are not required to, consider in determining whether to approve employment of two immediate family members may include, but are not necessarily limited to, the following:

1. Whether one family member would have authority to supervise, assign, promote, demote, discipline, or dismiss the other;
2. Whether one family member would have authorized access to confidential information involving the other;
3. Whether one family member would be responsible for auditing or evaluating the work of the other;
4. Other circumstances that may create a potential conflict of interest or that are not in the best interest of the City.

***Change in Circumstances.*** If two employees become immediate family members through marriage during employment and if, in the Mayor's or City Administrator's judgment, employment of both of such family members is not in the best interest of the City, the employees will be notified that they have 30 days to decide which employee will resign. If the employees cannot decide, the City will retain the most senior employee and dismiss the less senior employee.

Immediate family members for purposes of the nepotism policy include the employee's spouse, child, sister, brother, parent, mother-in-law, father-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, grandparent, stepchildren, and grandchildren.

# COMPENSATION

## **Workdays/Pay Periods/Paydays**

*Workdays.* Subject to overtime requirements, recognized city holidays and the use of time off (vacation, sick, and other paid and unpaid leave) and benefits, all regular full-time non-exempt city employees shall work a 40-hour week, consisting of 8 hours a day, 5 days a week, with an hour break for lunch, as determined by the applicable Department Head.

*Fire Protection Activities.* The City of Gulf Shores has established a 19-day work period for employees engaged in fire protection activities. All Gulf Shores Fire and Rescue Service personnel engaged in fire protection activities shall be subject to a 19-day, 144-hour work schedule with 19.21 work cycles established per year consisting of 19 days per cycle. Employees shall work 144 hours in a work cycle and receive a Kelley Day before overtime is required pursuant to 29 U.S.C. § 207(k). Employees in this category shall receive compensation for actual time worked during the bi-weekly pay period of the work cycle. (Resolution 4634-09)

*Law Enforcement Activities.* The City of Gulf Shores has established a 14-day work period for all non-exempt employees engaged in law enforcement activities. All Gulf Shores non-exempt police officers shall be subject to a 14-day, 86-hour work schedule. Employees shall work 86 hours in a work cycle before overtime is required pursuant to 29 U.S.C. § 207(k).

*Pay Periods/Paydays.* The City of Gulf Shores operates on a bi-weekly (every two weeks) payroll period. Pay days are every other Friday. Pay checks or direct deposits are available one week after the end of the pay period. If a holiday falls on a payday, employees will receive their payroll check on the last workday prior to the holiday. It is City policy to decline a request for early paychecks or pay advances for personal reasons.

## **Time Reports**

Each Department Head of the City shall account for their employees' hours of work and shall report hours worked to the Personnel Department as directed by the Mayor. Reports shall include hours worked, vacation, sick, compensatory time, suspension without pay, and any

other leave of absence with or without pay. Hours of work or paid time off shall be accounted for and reported in one-quarter hour or fifteen-minute increments. For example, fewer than 7.5 minutes will not be accounted for, but 7.5 or more minutes will be accounted for as one-quarter hour or fifteen minutes.

If an employee determines that his/her time record is incorrect for any reason, the employee's supervisor must make the necessary correction and both the supervisor and the employee must initial the correction. Employees may *not* record other employee's time. Employees may *not* alter or falsify their own or another employee's time records. Violation of these rules may result in disciplinary action, up to and including termination.

## **Meals**

The normal work schedule includes a 60-minute or 30-minute meal break during the work day. Employees are expected to take their meal break each day, unless a supervisor instructs an employee to work during the designated meal break. If an employee is instructed to work during the meal break and receives less than a 30-minute uninterrupted break, the employee will be paid for the entire scheduled meal break. Otherwise, the meal break shall be at least 30 minutes of uninterrupted time away from work duties and employees will not be paid for time not actually worked.

Department Heads shall schedule meal periods for employees in their Departments so that the Department remains operational throughout. In rare occasions when the meal period is extended, employees must use accrued vacation time or the extended time must be accounted for with approved administrative leave. Extending the workday to account for an extended meal period should be avoided.

Non-exempt firefighters and dispatchers are considered "on duty" during meal times, meaning that meal times for these employees are paid time.

Police officers shall have a meal period of 30 minutes, which shall be considered "on duty," meaning that such meal period is paid time.

## **Breaks**

Department Heads may, but are not required to, allow employees to take breaks during working hours. All breaks, including smoking breaks, shall last no more than 15 minutes and be limited to one in the morning and one in the afternoon. Breaks may only be taken if the Department's activities are such that the employees' absence will not materially impair the Department's operations to be determined at the discretion of the Department Head. Break times are not like vacation leave. Break times may not be accumulated and used at a later time.

## **Payroll Deductions**

The City of Gulf Shores complies with all federal and state mandatory deduction requirements. Applicable federal and state laws require us to make the following deductions:

- 1) Federal Withholding Tax
- 2) Alabama Withholding Tax
- 3) Social Security Tax
- 4) Social Security Medicare Payments

Employees are required to participate via payroll deduction in the City of Gulf Shores' Retirement Plan. Employees may voluntarily have other deductions withheld from their paychecks.

## **Wage and Tax Statement**

In addition to the wage statement accompanying each paycheck, every employee will receive an annual Wage and Tax Statement (IRS Form W-2) for the preceding year on or before January 31. Any employee who believes that his or her pay or deductions are incorrect for any period or on the W-2 should check with the Personnel Assistant immediately.

## **Holiday Pay for City Employees**

Classified employees will receive eight (8) hours, and part-time employees will receive four (4) hours, of Holiday Pay on officially recognized city holidays. (Resolution 4634-09)

*Considered job assignment pay.* "Holiday pay" shall not be considered to be part of an employee's base pay or salary, but rather as merely job assignment pay. Regular Holiday Pay is not considered time worked for purposes of calculating overtime. Holiday pay shall not be supplemented with other paid time off hours. An employee must work the day before and the day after a holiday to be paid holiday pay, unless prior approval is given by the supervisor. Those employees who work shift work, such as Fire and Police, must work the scheduled shift before and the scheduled shift after a holiday in order to receive holiday pay, unless prior approval is given by the supervisor. An employee who is out on FMLA will not be paid holiday pay, if in a **Non-Paid** Status. (Resolution 4634-09) (Amended Res. 4822-10)

## **Holiday Pay for City Employees Who Work on Holidays**

*Holiday pay for regular full-time, non-exempt (i.e., hourly) employees.* When any non-exempt employee is requested to, and does, work on an officially recognized city holiday, he or she will receive his or her regular compensation and, in addition, he or she may elect either:

- (1) To take the holiday as such at a later time pursuant to applicable rules and policies of the city and the department. Any employee electing this option shall be required to make such election not later than 30 days prior to the holiday or by the last day of the pay period including such holiday. (Resolution 4634-09)
- (2) Elect to receive "holiday pay" in lieu of and in full substitution for the utilization of taking of the holiday. "Holiday pay," for the purposes of this section, shall consist of a one-time payment to the employee of a sum equal to time and a half of the employee's base pay for one eight-hour shift.

Although exempt salaried employees will receive their regular compensation for pay periods that include official Holidays, exempt salaried employees will not be paid any additional compensation for any hours worked on an official Holiday, because exempt employees are

paid a yearly salary for accomplishing their assigned jobs. However, if approved by the City Administrator, exempt employees may take paid time off at a later date on an hour-for-hour basis.

*Holiday pay for regular part-time city employees.* Regular part-time City employees, who are asked to work on an established City holiday, will receive Holiday Pay in the amount of two times their regular rate of pay per hour actually worked. Holiday pay for regular part-time employees shall be paid in the pay period in which the holiday occurs.

*Assignment of city employees.* City departments will only assign those employees to work on holidays who are needed for the safe and efficient provision of municipal services. Failure to adhere to this provision will result in disciplinary action.

*Overtime Calculation.* Only those hours actually worked by an employee on any Holiday will count for purposes of determining overtime during the pay period in which the Holiday falls.

*Application to fire department line personnel.* The provisions of this section shall not apply to line personnel in the City fire department.

## **Overtime Pay/Compensatory Time**

*Overtime.* Business demands occasionally require overtime work. Employees may *not* work overtime unless instructed to do so. If an employee is scheduled to work overtime, however, the employee is required to work the assigned hours.

Non-exempt employees (those who are paid on an hourly basis) will be paid one and one half times their regular rate of pay for all hours worked in excess of 40 hours in a workweek.

Hours paid but not worked are not used in computing overtime. For example, paid holidays and vacation days are not included for purposes of determining if an employee has *worked* more than forty hours in a workweek.

For example: An employee turns in time for 50 hours including 8 hours of sick time.

Pay will be as follows:

Regular time: 40 hours

Sick Time: Eight hours (at regular rate)

Overtime: Two hours

Exempt-salaried employees are paid for performing a specific job, not for the number of hours worked. Accordingly, exempt-salaried employees are not generally paid extra for overtime work. With prior approval of the Department Head, an exempt-salaried employee *may* be granted time off if particular assignments require significant extra work.

*Compensatory Time.* When a non-exempt (hourly) employee has worked overtime, he or she may elect to receive compensatory time in lieu of monetary overtime compensation.

Compensatory time is one and a half times the actual hours of overtime worked.

(1) *Non-exempt (hourly) employees.* All non-exempt employees may accrue up to 120 hours of compensatory time. All excess hours worked beyond these limits will be paid as overtime. Compensatory time may be accumulated for a period of one year from the date worked. If accrued compensatory time hours are unused and still credited to an employee after one year has elapsed from the date such hours were worked, the hours will be automatically paid as described above, using the pay rate in effect at the time the hours were worked and applying the hours being remunerated against the oldest hours (those worked at the earliest date). (Resolution 4129-06)

An employee who has accrued compensatory time and requests use of the time will be permitted to utilize the time off within a reasonable period after making the request if it does not unduly disrupt the operations of the city. The city reserves the right, depending upon the circumstances in any department, to require the use of accrued compensatory time or to substitute payment, in whole or in part, for compensatory time. Such a substitution will not affect subsequent granting of compensatory time in the future.(Resolution 4129-06)

Employees must utilize all accumulated compensatory time prior to requesting/using vacation leave, unpaid time off or unpaid leave of absence.(Resolution 4129-06)

(2) *Exempt-salaried employees.* Exempt-salaried employees are expected to work a minimum of 40 hours per work week. Exempt personnel, however, with the exception of exempt Department Heads, may accumulate a limited amount of compensatory time for any

time worked more than 40 hours during any calendar week; subject to the following limitations:

- a. No more than 80 hours of compensatory time can ever be accrued.
- b. Compensatory time can only be taken with prior consent of the Department Head.
- c. No exempt employee will be paid or reimbursed financially for any accrued compensatory time.
- d. Compensatory time off awarded to overtime exempt employees shall accrue at the rate of one hour of compensatory time for each hour worked.

*Emergencies, Disasters or Special Events.* In the event of an emergency, disaster, or special event, as defined by the appropriate official organization, the Mayor may suspend or modify provisions pertaining to overtime for exempt employees, including exempt Department Heads for a period of time not exceeding 30 calendar days,

The Mayor may also suspend or modify any other policy of the City pertaining to exempt employees, including Department Heads, pertaining to the accrual, carryover or utilization of compensatory time, vacation time, holidays or other benefits that such exempt employees would otherwise forfeit or lose as a consequence of such *emergency, disaster, or special event*.

In order to implement such authorization, the Mayor shall issue a written directive to the Personnel Officer and copy to employee's Department Head and the City Council setting forth the reasons for declaring a *emergency, disaster, or special event*, specifying the position and the name of the exempt employee, the suspension or modification of the specific benefit or policy and the period of time it is to be in effect. (Resolution 4782-10)

*Calculation of overtime/compensatory time.* For all non-exempt personnel, compensatory time will generally only be awarded and overtime will only be paid for hours worked in excess of 40 hours in a work week, as defined by the City. However, the City may establish an alternative work period and payment plan for a specific segment of its workforce which may result in a different method of accruing and calculating overtime. For example, the City

has established, under Section 7(k) of the Fair Labor Standards Act, a different work period for employees engaged in fire protection activities and law enforcement activities.

Paid time off, including, but not limited to, vacation time, compensatory time, holidays, worker's compensation time, suspensions with pay, and any other time off from actual time worked, and for which compensation from the city is otherwise received, will not be included in the calculation of hours worked and credited toward overtime compensation or compensatory time.

*Call out time.* The primary function of call-out pay is an incentive and inducement to return to duty after regularly scheduled work hours. If a non-exempt employee of the Police Department, Fire Department, Information Systems, or Public Works Department is called out by being ordered to return to duty after scheduled working hours to perform emergency or necessary services on behalf of the City as directed by his/her supervisor, he or she will be paid a minimum of two hours of work at the rate of one and one-half times the employee's current regular rate of pay regardless of the actual time the employee is required to work, up to a maximum of two hours. Thereafter, any call out work in excess of two hours will be paid at time and a half.(Resolution 4596-08)

### **Step-up Pay for Acting Department/Division Heads.**

Occasionally, an extended vacancy will exist in the position of the head of a city department or a temporary vacancy within certain City Departments engaged in non-public safety related operations. In these instances, the extended absence of a Department Head or the temporary absence of a key employee can hamper the operations of an entire Department or that of a Division. Such situations are not in the best interest of the City of Gulf Shores or the public.

*Step up to "acting" Department/Division Head positions.* It is the policy of the City that classified employees in such positions as assistants, associates, or deputies or similar chain of command type positions shall function in the role of his or her superior during temporary absences of that superior without additional compensation.

However, in the event it is necessary for a City employee in the classified service to function in the capacity of their respective Department/Division Head for more than two pay periods,

it is appropriate that such employee should receive some additional compensation for assuming the responsibility and duties of the Department/Division Head (step-up pay). Any classified employee of the City whose job classification does not direct and/or authorize them to function in the capacity of their Department Head in his or her absence, and who does so for more than two pay periods shall be eligible for temporary step-up pay equal to a two step increase of said employee's current grade or Step 1 in the position to which they are temporarily appointed, whichever is greater, subject to the following conditions:

- (1) The employee is appointed in writing by the Department Head and approved by the Mayor prior to the appointment.
- (2) The employee must have functioned in or it is anticipated that the employee will serve in the capacity as acting Department/Division Head for a period of no less than two pay periods.
- (3) The step-up pay shall commence with the first full pay period following that the employee has been functioning as acting Department/Division Head and shall terminate upon the appointment of a Department/Division Head or another acting Department Head or may be terminated at the Mayor's discretion.
- (4) The employee must be otherwise qualified, i.e. meet the minimum qualifications for the position, to "step up" to the vacant position, including possessing any required training certifications and/or licenses. However, if the appointee does not meet the minimum qualifications for the position, the Mayor may authorize a temporary two step in grade increase for the duration of the appointment.
- (5) The vacant position must involve essential job functions which are not outside the scope of the general job classification and/or duties of the employee stepping-up to that position.

### **Reduction in Pay of Exempt Employees**

Because exempt employees are paid for performing a specific job, not for the number of hours worked, exempt employees generally will receive their full salary for any workweek in

which any work is performed. The salary of an exempt employee may be reduced in limited circumstances, including (i) absences of a full workday or more for personal reasons if the employee is not eligible for or has no accumulated sick leave or vacation; (ii) absences of less than a full work day for employee's utilizing intermittent leave under the City's Family & Medical Leave policy; and (iii) absences of a full workday or more resulting from disciplinary suspensions.

If an exempt employee believes a deduction has been improperly made, the exempt employee should notify promptly the Personnel Officer. The Personnel Officer will investigate the reason for the deduction in question and, if the deduction should not have been made, the City will reimburse the employee for the deducted amount in the next regularly scheduled paycheck.

## **Merit Pay Increases**

Salary increases at the City of Gulf Shores are based upon several factors including individual performance, success of the organization, market conditions and other factors that affect the ability of the organization to establish and maintain competitive wages. While it is the intent and desire of the City to review employees' wages annually, salary increases are not guaranteed. In addition:

- Pay increases may be postponed for employees under disciplinary actions.
- Pay increase recommendations by the Department Head must be approved by the Mayor.
- All approved pay increases will become effective on the first workday of the next pay period.

## **Salary Administration**

Each position at the City has been classified and assigned a pay range. Employees shall be paid a salary or wage rate within the range of the classification for the position. Generally, new employees will start employment at the minimum rate in the pay range for the classification. However, a new employee may be employed at a higher rate if the employee's education, experience, training or qualifications merit the higher rate of pay.

Pay increases are based on satisfactory job performance and availability of funds. If an employee's Department Head recommends deferral of a pay increase because the employee's performance is unsatisfactory, the City may defer a scheduled pay increase for a specified period of time or until the employee's job performance is satisfactory.

### **Promotions, Transfers and Demotions.**

*Promotions.* When a non-exempt employee is promoted to a position in a higher class, the employee's pay shall be increased to the greater of the minimum step for the higher class or to the step in the new pay grade that will insure an increase of at least two steps in the current pay grade.

*Transfers.* There shall be no immediate change in the base pay of an employee who is transferred from one position to another position in the same job class and/or pay grade. If an employee is transferred to a position in a class having a higher level pay grade than the class from which the employee was transferred, such change shall be deemed a promotion and the provision governing promotions shall apply.

*Demotions.* When an employee is demoted, voluntarily or involuntarily, to a position in a pay grade below that of the employee's current pay grade, the employee shall be paid at the same step within the lower pay grade that is identical to the employee's current pay step in the higher grade. If the demoted employee's current pay is above the maximum step of the lower pay grade in which the employee is placed, then such employee's pay would be decreased to such maximum step.

### **Changing the Salary of an Employee Assigned to a Position.**

A classified or unclassified employee's individual pay rate may change through one or all of the following methods:

1. *Completion of a probationary position.* After satisfactory completion of the required probationary period, with approved recommendation by his/her supervisor and/or department head, an employee may receive an increase in base pay.

2. *Merit Increase.* Upon receiving a favorable performance evaluation and effective the beginning of the pay period following an employee's action date, the base pay of an eligible classified or unclassified employee of the city shall be increased by one step in the pay range for the pay grade of the employee's job classification. Notwithstanding anything herein to the contrary, any full-time regular employee that has received final disciplinary action in the form of two or more written reprimands and/or a suspension without pay, and/or an involuntary demotion in the preceding year, measured from the employee's action date, shall not be entitled or eligible to receive any pay increases provided for herein for that year.
3. *COLA (cost of living adjustment).* On the first day of each fiscal year, unless the City Council has provided otherwise, a cost of living adjustment (COLA) may be made to each step of each pay grade in a percentage equal to the percentage increase represented by the annual increase in the consumer price index (CPI) using the south urban CPI from the U.S. Department of Labor released in May of each year.
4. *Attaining certain educational degrees.* The City will also compensate employees for attaining additional education above and beyond that required in the applicable Job Class Description. If the employee's position requires a high school education and an Associates Degree is received in the relevant subject area, a step increase within the respective Grade will be awarded. If position requires a high school education, and a Bachelors Degree is received in the relevant subject area, a two-step increase within the respective Grade will be awarded. Should a position require a Associate or Bachelors Degree and a Masters Degree is received in the field of study relevant to the position, a two-step increase within the respective Grade will be awarded.. The increase shall be awarded effective the pay period following the approval of the request by the Mayor.

## **Topped out employees**

Notwithstanding anything in this Handbook to the contrary, no classified or unclassified employee (non-exempt or exempt) will receive any increase in base pay at any point of the pay plan or by pay adjustment which would result in that employee's base pay exceeding the maximum pay of the pay range for the employee's job classification pay grade.

**THIS PAGE INTENTIONALLY LEFT BLANK**

# EMPLOYEE BENEFITS PROGRAMS

The City provides a comprehensive package of employee benefits for its employees. This Employee Handbook has only a *brief* discussion of the City's employee benefits. The insurance coverage's and retirement plan are described in detail in the Employee Benefits Booklet for these plans. Employees should review these Employee Benefit Booklets carefully, because the information in the Employee Benefits Booklets, not the brief outline in the Employee Handbook, controls all questions concerning eligibility, benefits and the administration of these important employee benefit plans. The Personnel Department will gladly provide assistance and answer any questions employees may have regarding benefits.

Benefits and conditions of coverage may change from time-to-time. Although we hope to continue, or even to enhance our benefits over time, we may change or even discontinue the benefits described in this Handbook. The City reserves the right to amend, modify or discontinue any benefit program in this Handbook. Any changes will be contained in amendments to the plan documents, and may be summarized in the employee notices, bulletin board postings, or the summary plan description.

## **Health Insurance/Dental Insurance**

The City currently offers health insurance coverage to all full-time employees and their dependents. Coverage is provided for the employees and dependents, effective the first day of the calendar month following 30 days of continuous employment. Part-time employees who work at least 30 hours per week on a regular basis are eligible to participate in the health insurance program on a single-coverage only basis—no coverage is available for dependents (*i.e.*, spouses, children or other family members) of part-time employees.(Resolutions 4168-06, 4294-07)

Employee premiums are paid through payroll deductions. Details of eligibility, insurance coverage, deductibles, premiums and other important information are included in the Employee Benefits Booklet for the health insurance plan. (Resolution 4007-06)

## **Life Insurance**

Classified and unclassified employees will be provided term life insurance equal to two times their annual pay effective the first day of the calendar month following 30 days of continuous employment. Maximum coverage is \$50,000; the City additionally provides \$2,000 of coverage for spouses and children.

Full details of the plan are provided in the Employee Benefits Booklets. Employees should review the Employee Benefits Booklet carefully for detailed information about the plan.

## **Dental/Vision Insurance**

The City makes available a dental and vision insurance program for classified and unclassified employees. This is a voluntary dental/vision insurance plan. The employee pays the entire cost of coverage. Coverage is generally effective on the first day of the calendar month following 30 days of continuous employment.

Full details of the plan are provided in the Employee Benefits Booklets. Employees should review the Employee Benefits Booklet carefully for detailed information about the plan.

## **Long Term Disability Insurance**

The City makes available a long-term disability insurance program (LTD) for employees who become permanently and totally disabled following an illness or injury. All classified and unclassified employees can enroll in the LTD program. New employees must elect to participate in the LTD program at the time of hiring. Current employees (i.e., late enrollees) may elect to begin LTD coverage after the beginning of employment, but such employees may have to present evidence of insurability, and some restrictions or waiting periods may apply. Coverage is effective on the first day of the calendar month following completion of a six-month period of employment. Employees who elect LTD coverage may receive a

monthly benefit based upon a formula which takes into account a percentage of the employee's last 60 months of average earnings. The employee receiving LTD benefits may be required to provide proof of continuing disability. A waiting period of 60 days will apply before benefits start. Details of long-term disability plan are covered in the Employee Benefit Booklet for this benefit.

## **Retirement Plan**

Mandatory participation in the City of Gulf Shores Retirement Plan is required as of the date of hire for all eligible employees by automatic deduction in the amount of 5% of the employee's gross pay. The City will make an additional contribution to the employee's account in the amount of five percent (5%) of the employee's gross pay. The exception will be in the case of Certified Police Officers and Firefighters. The Police Officers and Firefighters contributions will be six percent (6%) of gross pay with the City contributing five percent (5%) of the officers' and firefighters' pay.

To be 100% vested in the Retirement Systems of Alabama; an employee must have been in the City's Retirement Plan with ten (10) years of continuous service. All employee contributions to the Pension Plan are tax deferred. On the date of hire, employees may elect to make an additional tax-deferred payroll deduction to the city's tax deferred savings (section 457) plan. Participation in the section 457 plan is effective on the first day of the month following the employee's date of hire. (Resolution 4246-07)

## **Recreation Center Membership**

Membership to the City Recreation Center may be obtained at half cost per selected type of desired membership. Membership is for a one-year period of time, which may be renewed. A wide variety of activities are available, including swimming, basketball, racquetball, indoor jogging track, fitness center and much more. Membership may be on a payroll deduction basis if requested.

## **Continuation of Benefits**

**Worker's Compensation Leave:** An employee receiving worker's compensation benefits will continue to accumulate paid vacation leave and paid sick leave for up to six months. The

City also will continue to pay its portion of health insurance premiums, provided the employee continues to pay his or her share of those premiums, if any. After six months, the employee's benefits (except worker's compensation, if any) shall cease. Thereafter the employee may continue health insurance coverage under COBRA. An employee who is unable to work may be granted an extended medical leave of absence. (See policy on Extended Medical Leave).

**COBRA Continuation Coverage.** If an employee is covered under the City's group health insurance plan, the employee will have the right to continue insurance coverage at group rates if certain events occur that would otherwise cause the employee to lose insurance coverage -- the termination of the employee's employment or a reduction in the number of hours worked, for example. Although employees and eligible dependents would be required to pay the insurance premium for the continuation coverage, employees and eligible dependents can obtain the coverage for a limited time (generally 18 or 36 months) at group rates, which could mean a substantial savings. Employees will be given full details of their right to continue group health insurance coverage under COBRA in a separate "Notice of Right to Elect Continuation Coverage under COBRA."

## **Worker's Compensation**

The City provides worker's compensation insurance for all employees for job related injuries. If an employee is injured on the job or develops an illness that is directly related to the employee's employment with the City, the employee may be eligible for worker's compensation insurance coverage. When an employee suffers an on-the-job injury (no matter how slight), the employee *must* report the injury to his or her supervisor immediately if the employee is able to do so. The supervisor will ensure that the employee obtains proper medical attention. An accident report must be completed and submitted to the Personnel Officer within twenty-four (24) hours of the illness or injury. This enables the City to complete the necessary reporting and claims procedures for worker's compensation insurance coverage.(Resolution 4634-09)

If an injured employee is eligible for worker's compensation, worker's compensation insurance generally covers all medical expenses for necessary treatment for covered injuries

and provides compensation benefits during the time the employee is unable to work as a result of the injury. The amount and duration of compensation benefits is established under worker's compensation law. Worker's compensation insurance is not available if the injury is caused by the employee's willful misconduct, by the employee's willful failure or refusal to use a safety device provided by the City, or by the employee's intoxication or impairment by alcohol or illegal drugs. Any falsification or misrepresentation of information concerning an accident, injury or illness also may cause a loss of worker's compensation insurance coverage and could result in disciplinary action, up to and including termination.(Resolution 4634-09)

A return to work slip is required if an employee is off work due to a worker's compensation injury from the treating physician. (Resolution 4634-09)

If an employee suffers an on the job injury or illness that requires three (3) or more days away from work, the injured employee will be eligible to receive compensation equal to 66-2/3% of their normal salary. If an employee has elected to participate in the City's LTD program, he can supplement his income with this benefit after sixty (60) days of disability. If the employee has not elected to participate in the City's LTD program and the employee has accumulated sick leave, the employee may elect to use the paid sick leave on an hour for hour basis, meaning that for each day the employee is absent from work, eight (8) hours of sick leave will be deducted from the employee's accumulated sick leave. Employees must sign an acknowledgement form to confirm this election.(Resolution 4634-09)

Employees who are unable to work as a result of a serious health condition (including an injury or illness covered by worker's compensation) will be placed on Family and Medical Leave for up to 12 weeks, if the employee is eligible for FMLA leave. At the discretion of the Mayor, up to 6 total months of medical leave may be granted for on-the-job injuries or illness. If the employee is unable to return to work following Family and Medical Leave or the discretionary leave granted by the Mayor, the employee's employment with the City will be terminated. The employee will remain eligible for re-hire and, when released to return to work, should contact the Personnel Officer to apply for open positions.(Resolution 4634-09)

## Vacation Leave

Classified and unclassified employees with one to nine years of service earn one (1) day of vacation leave per month, with ten to fourteen years of service earn one and one-quarter (1 ¼) days of vacation leave per month, and with 15 years or more of service earn one and two-thirds (1 2/3) days of vacation leave per month. After completing 90 days of service, part-time employees who work at least 20 hours per week on a regular basis earn four (4) hours of vacation leave per month.(Resolution 4634-09)

Employees may use up to one (1) week of vacation leave after successful completion of a satisfactory 6-month performance evaluation. For purposes of vacation leave one (1) week of vacation leave equals forty (40) hours of vacation leave. Employees may use the remaining of their vacation leave after their completion of the one-year probationary period. (Resolutions 4596-08, 4634-09)

Part-time employees may carry over up to 12 days (48 hours) of vacation leave at the end of the calendar year. *Classified and unclassified employees with less than ten years of service may carry over up to 15 days of vacation leave at the end of the calendar year, with more than ten but less than 15 years of service may carry over up to 20 days of vacation leave at the end of the calendar year, and with 15 or more years of service may carry over up to 25 days of vacation leave at the end of the calendar year.* Accrued vacation leave is paid at termination if the employee has completed their probationary period.(Resolution 4634-09)

Fire/Rescue Department employees who work a 144-hour 19-day hour work period will accrue vacation leave at the following rate: (Resolution 4634-09)

1 – 9 years of service -	10.6 hours per month
10-14 years of service -	13.25 hours per month
15+ years of service -	17.66 hours per month (Resolution 4124-06)

*The Fire/Rescue Department employees who work a 144-hour 19 day work period, with less than ten (10) years of service may carry over up to 159 hours of vacation leave at the end of the calendar year, with more than ten (10) but less than fifteen (15) years of service may carry over up to 212 hours of vacation leave at the end of the calendar year, and with fifteen*

*(15) or more years of service may carry over up to 265 hours of vacation leave at the end of the calendar year. (Resolution 4596-08)*

The use of vacation leave will be approved at the discretion of an employee's Department Head or the Department Head's designated representative. Normally, vacation leave will be approved in advance of each absence, except in unusual circumstances. All requests for vacation leave should be made as far in advance as possible of the time the employee desires the leave. The City expects each employee to take earned vacation, except as permitted by these guidelines. Working in lieu of taking time off defeats the purpose of providing paid time away from the job; therefore, the City strongly discourages employee from working in lieu of taking vacation time, unless the employee presence is necessary to meet emergency situations and/or usual work demands. Vacation leave may be taken in one-hour increments, as approved by the employee's Department Head. When an official holiday occurs while an employee is on vacation leave, his or her absence will be charged as a paid holiday and not as vacation leave. Vacation leave will not be advanced to any employee for any reason.

(Res.4634-09)

For purposes of vacation leave, one day of vacation leave equals 8 hours of vacation leave. For part-time employees, one (1) day of vacation leave equals four (4) hours of vacation leave. (Resolution 4634-09)

## **Holidays**

The City observes eleven holidays annually. The City is officially closed on:

New Year's Day	Labor Day	Christmas Day
Martin Luther King Day	Veteran's Day	New Year's Eve
Mardi Gras Day	Thanksgiving Day	
Memorial Day	Thanksgiving Friday	
Independence Day	Christmas Eve	

Holidays that fall on Saturday will be observed on Friday and those that fall on Sunday will be observed on Monday. (Resolution 4393-07)

## **Sick Leave**

Classified and unclassified employees earn one day of sick leave per month. Part-time employees who work at least 20 hours per week on a regular basis are eligible to earn 4 hours of sick leave per month. Sick leave may be used as it is earned without regard to completion of a probationary period. An employee may accumulate up to one hundred twenty (120) days of sick leave.(Resolution 4634-09)

Fire Rescue Department employees who work a 144-hour 19-day work period will accrue sick leave at the rate of 10.6 hours per month.(Resolution 4124-06, 4634-09)

Employees are encouraged to make doctor, dentist and any other personal appointment before arriving for work or after leaving work, if possible. If time off is required for such appointments, arrangements must be made in advance with the employee's supervisor. If you are absent for three (3) or more consecutive days due to illness or injury, you must provide a doctor's statement that states you are ill or injured, when it began and when you should be able to return to work. The City may require a similar statement for other sick leave absences of less than three (3) days. Before you can return to work after a sick leave absence of ten (10) business days or more, you must provide a doctor's statement that you may safely return to work. The employee can use accumulated sick leave in conjunction with other sources of disability income to achieve full pay for as long as possible. However, at no time can the combination of these exceed normal earnings. An eligible employee will not accrue sick leave when in a non-pay status. (Resolution 4634-09)

Sick leave may be taken in one-hour increments, as approved by the employee's Department Head. For purposes of sick leave, one day of sick leave equals eight (8) hours of sick leave.

## **Unused Sick Leave**

Accrued sick leave is not paid at termination. However, employees who are eligible for retirement (see Termination Processing Procedure, Retirement) may use their accumulated sick leave balance up to 960 hours at the time of retirement to extend their effective retirement date beyond their last actual day at work. At the discretion of the Mayor, a deceased employee's designated beneficiary may be paid for up to sixty days of unused accrued sick leave.(Resolution 4129-06)

## **Donation of Employee Sick Leave**

Only classified and unclassified employees and part time employees working 20 or more hours per week are eligible to donate or receive donations of sick leave.

Employees may only donate the amount of sick leave they have in excess of 80 hours but no more than 40 hours may be donated per calendar year (January 1 – December 31).

Donated sick leave given to an employee prior to utilizing the extended medical leave policy can be used by the employee as a paid leave up to the six month extension rule, with prior approval by the Mayor. (Resolution 4672-09)

The donation of sick leave will only be given to those who need it due to a serious health condition or any other qualifying event according to the FMLA guidelines. (Res.4822-10)

Conversion of donated sick leave will be based upon the dollar value of the sick leave.

Example:

Employee X wishes to donate 40 hours of sick leave to Employee Y. Employee X makes \$6.00/hr; Employee Y makes \$12.00/hr. Employee X will make a donation of \$240 (\$6 x 40 hrs) worth of sick leave. Employee Y receives the equivalent of 20 hours of sick leave (\$12 x 20 hrs = \$240).

All employee requests to donate sick leave must be reviewed by the employee's Department Head. Department Head requests must be reviewed by the Personnel Officer. Sick leave donations cannot be donated by an employee terminating employment less than 30 days prior to termination date. Once approved, requests will be forwarded to the Personnel Assistant for implementation. (Resolution 4672-09)

## **Educational Assistance Program**

The City of Gulf Shores recognizes the value to the City and its employees of additional education and training that is related to the employees' jobs and improves their skills and capabilities. The City will provide financial assistance to all classified and unclassified employees who voluntarily participate in approved educational courses:

All financial educational assistance must be approved by the Mayor in advance of an employee's beginning the educational assistance program. Tuition reimbursement forms are available from the Personnel Officer. Requests should be submitted to the appropriate Department Head, then to the City Administrator, then to the Mayor for approval. Requests for approval shall contain sufficient information about the course content and the employee's job to justify that it is job related. The appropriate Department Head shall also provide comments as to the job relatedness of the course.

The City will reimburse employees for seventy-five percent (75%) of the cost of each approved course that they successfully complete. The cost of textbooks is not reimbursable.

Employees who receive educational assistance from the City are required to continue employment with the City for two years after completion of the course. Employees who do not meet this requirement will be required to reimburse the City for any financial assistance received. (Resolution 4129-06)

The City may pay the cost or a portion of the cost of tuition, registration fees, books, meals, travel, and lodging of courses, seminars, and other training activities that are required by an employee's job. However, the City will require a refund from an employee for any professional educational programs, workshops, and specialized training attended by employee if said employee leaves employment of the City within 24 months of completing these programs. Such programs include, but not limited to Police Officers, Firefighters, Court Magistrates, and Network/IT Technicians. (Resolution 4842-10)

# AUTHORIZED LEAVES OF ABSENCES

## **Family Medical Leave**

Eligible employees are entitled to take up to twelve (12) weeks of leave for four (4) reasons:

- 1) For incapacity due to pregnancy, prenatal medical care or child birth;
- 2) To care for the employee's child after birth, or the placement of a child in the employee's home for adoption or foster care;
- 3) To care for a spouse, child or parent with a serious health condition;
- 4) For a serious health condition that makes the employee unable to perform the employee's job. (Resolution 4634-09)

## **Military Family Leave Entitlements**

Eligible employees with a spouse, son, daughter or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. (Resolution 4634-09)

FMLA also includes a special leave entitlement that permits eligible employees to take up to twenty-six (26) weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. (Resolution 4634-09)

In determining whether an eligible employee has taken his or her full entitlement to 12 weeks unpaid leave of absence during a 12-month period, the City uses a "rolling" 12-month period measured backward from the date an employee uses FMLA leave. *For example*, if an employee requests FMLA leave beginning September 1st, the City would measure backward

to September 1st of the previous year to determine whether the employee has already used 12 weeks of FMLA leave during that 12-month period.

***Eligibility.*** To be eligible for family and medical leave under this policy, an employee must meet both of the following conditions: (1) the employee must have worked for the City for at least 12 months (52 weeks), which need not be 12 consecutive months; and (2) the employee must have worked at least 1,250 hours during the 12 months immediately preceding the family and medical leave.

***Employment Following Leave.*** When an employee returns to work following a family and medical leave, the employee will be assigned to the employee's former job or to an equivalent job with the same pay, benefits and working conditions. If the employee does not return to work following a family and medical leave, the employee's employment may be terminated and the employee may be required to reimburse the City for any insurance premiums the City paid during the leave *unless* the failure to return to work is due to circumstances beyond the employee's control, such as a serious health condition continuing or a new serious health condition arising.

***Employment Benefits during Leave.*** During an approved family and medical leave, an employee's health insurance, *if any*, will continue just as if the employee had not taken leave. We will continue to pay any portion of the premium that we would pay if the employee was working, and the employee must make arrangements to pay on time any portion of the premium the employee would pay if he/she were working. If the employee fails to pay on time any portion of the premium the employee is required to pay, the insurance coverage may terminate. Employees do not accrue paid leave or any other benefit while on family and medical leave. An employee on FMLA leave will not be paid holiday pay. Employees may continue other benefits, *if any*, as permitted by the particular benefit plan by making arrangements in advance to make any required contributions or premium payments.(Resolution 4634-09)

***Use of Paid Leave.*** Employees must use any accumulated paid leave, including any paid vacation, at the beginning of family and medical leave. After the employee exhausts paid leave, the rest of the family and medical leave, if any, will be unpaid.

***Intermittent Leave or a Reduced Work Schedule.*** Intermittent or reduced-schedule leave may be granted, if medically necessary, for a serious health condition. Intermittent leave or a reduced-schedule will *not* be granted for the birth of a child or for child care. Employees should consult with their treating physician to schedule any necessary medical treatment to avoid unnecessary disruption of business operations (for example, scheduling periodic medical treatment for a serious health condition at or near the end of the workday). Leave due to qualifying exigencies may also be taken on an intermittent basis. In all cases, the total family and medical leave will not exceed a total of 12 weeks over a 12-month period.(Resolution 4634-09)

***Procedure for Requesting Leave.*** Except where leave is unforeseeable, employees must request family and medical leave by submitting a completed *Request for Leave* form to the employee's Department Head, who will provide a copy to the Personnel Officer. If possible, employees must give at least 30 days notice before the date they want the leave to begin. If this is not possible, employees must provide as much notice as is practicable under the circumstances. While on an approved family and medical leave, employees may be required to report semi-monthly to the City regarding the status of the medical condition and the employee's intent to return to work. If the City determines that a leave of absence qualifies for Family and Medical Leave, including a leave for serious health condition covered by workers' compensation, the leave may be designated as Family and Medical Leave by the City. If so, the leave will count toward the employee's annual 12-weeks of unpaid leave. (Resolution 4634-09)

***Certification of a Serious Health Condition.*** If an employee requests leave for a serious health condition, the employee may be required to provide a medical certification of the condition, and, if the leave is requested to care for an immediate family member with a serious health condition, to certify the need for the employee to provide care. The City may require recertification on a reasonable basis during the leave. The certification must be provided on the *Certification of Health Care Provider* form, which is available from the Personnel Department. The City may require you to obtain a second medical opinion from a health care provider chosen by the City at our expense to verify any such certification. If the second opinion differs from the certification provided by the employee, the City may require, at its expense, the opinion of a third provider chosen jointly by the City and the employee.

The third opinion will be final and binding. When an employee seeks to return to work following an approved family and medical leave for a serious health condition, the employee must provide a medical certification saying that the employee is able to perform the essential job duties. If not, the medical certification must describe any limitation on the employee's ability to perform the essential job duties so a determination can be made whether a reasonable accommodation can be made that will enable the employee to perform the duties.(Resolution 4634-09)

***Failure to Return From Leave.*** Employees will be considered to have voluntarily quit their jobs (1) if they do not return to work on or before the fifth (5<sup>th</sup>) day after an approved leave of absence expires; or (2) if they apply for or engage in other employment while they are on a family and medical leave. Employees will be discharged if they give a false reason for a requested leave or provide fraudulent or altered documents in connection with leave.(Resolution 4634-09)

## **Extended Medical Leave**

Employees who are unable to return to work at the expiration of Family and Medical Leave or who suffer an on-the-job or other injury prior to becoming eligible for Family and Medical Leave may be granted up to six months of unpaid Extended Medical Leave at the discretion of the Mayor. The combined total of Family and Medical Leave and Extended Medical Leave cannot exceed six months. Employees on Extended Medical Leave generally are not eligible for employee benefits, but may be eligible for continued health insurance coverage through COBRA. Employees who have received donated sick leave prior to going on Extended Medical leave can use this as paid leave up to the extended medical leave coverage period with prior approval of the Mayor. (Resolution 4672-09)

While the City will make every effort to reinstate the employee to his or her former position or a substantially equivalent position, reemployment following an extended medical leave is subject to job availability. If the employee is unable to return to work following the extended medical leave, the employee's employment with the City will be terminated. The employee will remain eligible for re-hire and, when released to return to work, should contact the Personnel Officer to apply for open positions.

## **Return To Work After Medical Leave of Absence**

Any classified, unclassified, or part-time city employee who is absent from work for more than ten consecutive work days due to injury or illness, or for any length of time for any injury or illness that prevents the employee from being able to perform the essential functions of his/her job, shall notify the Personnel Department during its regular business hours of the employee's ability and intent to return to work. If after regular business hours, notification shall be made at the beginning of the next business day.

In all cases, the following steps shall be taken prior to the employee returning to work:

1. The employee shall obtain from the Personnel Department a copy of the essential job functions and requirements and the return-to-work forms;
2. The employee shall have the evaluating physician complete the return-to-work forms and return them to the Personnel Department;
3. The Personnel Department will review the return to work forms and notify the employee and the appropriate supervisor of the employee's status and the date that he/she is expected to return to work;
4. The employee shall certify prior to returning to work that he/she is able to perform the essential functions of the job.

If the illness or injury is non-work related, the evaluating physician may be the physician that treated the employee. However, the City reserves the right to require the employee to be evaluated by the City's occupational physician.

For worker's compensation injuries and for absences exceeding 30 work days, the evaluating physician shall be the City's occupational physician.

In cooperation with the employee and healthcare providers, the City will determine whether an employee with restrictions is able to return to work with or without reasonable accommodation. If an employee on medical leave is offered the opportunity to return to work by the City and the employee fails to do so, the employee's failure to return to work will be treated as a voluntary termination of employment.

The City seeks to reinstate employees in the same or a similar employment position following a medical leave of absence. However, employees are not guaranteed reemployment following an occupational or non-occupational medical leave, except as stated in our *Family and Medical Leave Policy*.

## **Military Leave of Absence**

The City does not want its employees to suffer any loss of employment status, compensation or benefits if they perform military training or service in the U. S. Armed Forces in the war on terror, or as a member of the U.S. Reserves or National Guard. Accordingly, all employees will be granted time off for required active military training or service. Upon completion of active military service (generally not to exceed five years), the employee will be reinstated to his or her former position or to a substantially equivalent position without loss of employment status if the employee makes a timely application for reinstatement after the date he or she is discharged from military duty.

An employee who is a member of the National Guard or the United States Reserves will be granted a leave of absence with pay, up to 168 hours per year to attend mandatory annual training with his or her unit, or up to five years if the employee's unit is activated for U.S. Military service. To help employees avoid a loss of earnings when attending annual training with the U. S. Reserves or the National Guard, or if the employee's unit is activated for U.S. Military service, the City will pay the difference between the employee's military pay and regular rate of pay (*i.e.*, the regular rate of pay for the number of hours the employee is regularly scheduled to work, not to exceed 40 hours each week) for the duration of such annual training or activation of military service in the war on terror.

Upon request from the employee, the City will maintain health benefits and other benefits during military leave as if the employee was actively employed. Employees on military leave of absence will be entitled to participate in any rights and benefits that are available to employees on non-military leaves of absence. The employee must pay his or her portion of any benefit(s) premiums in order to keep the benefits active. If the employee does not return to work at the end of the military leave, the employee may be required to reimburse the City for the cost of the benefit premiums paid by the City for maintaining applicable coverage.

An employee who returns from military leave will be eligible for any paid sick leave or paid vacation accumulated before entering military service. Time spent on eligible military leave counts as time served on the job for any calculation, determination or other decision that is dependent upon length of employment.

If an employee needs time off for military service, the employee should notify his/her supervisor, give the inclusive dates of the military training or service, and provide a copy of the orders or other written confirmation to the Personnel Officer as soon as possible.

### **Jury Duty/Legal Leave**

The City will grant employees time off for mandatory jury duty or court appearance as a witness when the employee is required to appear as a result of a court order or subpoena. A copy of the court order or subpoena must be supplied to the employee's supervisor when requesting time off. However, time off for court appearance as a party to any civil or criminal litigation will not be compensated. The employee must arrange for time off without pay or use accrued vacation or personal leave for such appearance.

Attendance in court by law enforcement officers, or other employees, in an official capacity shall not be considered as Legal Leave but as regular work time.

### **Bereavement Leave of Absences**

Employees may be granted up to 3 days leave with pay in the case of a death in the immediate family. For purposes of bereavement leave, immediate family is defined as husband, wife, child, sister, brother, parents, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents, step-child, step-parent and grandchildren. The Mayor must approve additional bereavement leave, which generally will be unpaid unless the employee has vacation or comp days available. For purposes of bereavement leave 3 days equals twenty four hours (24) of paid leave. (Resolution 4672-09)

### **Other Leaves of Absence**

In addition to leaves of absence for occupational illnesses, disabilities, military duty or training, bereavement, jury duty and those covered under the City's Family and Medical Leave Policy, the Mayor *may* grant an *unpaid* leave of absence of up to six months for other

good reasons. Granting a leave of absence for other reasons is within the discretion of the City.

To request a leave of absence, the employee must submit a written request to the employee's Department Head stating the reason for the leave of absence and the anticipated duration of the leave of absence. The request should be submitted at least thirty days in advance. Each request will be considered by the Department Head and the City Administrator on its own merits in light of the employee's stated reason for a leave of absence, the employee's performance and attendance record, the likelihood that the employee will return upon the completion of the leave of absence, and the number of requests the employee has previously submitted.

Except for the specific paid leaves of absences discussed in the Employee Handbook, any other leave of absence is without pay and without employee benefits. Generally, an employee will be required to use any accumulated vacation before beginning an approved leave of absence.

The City will try to re-employ an individual in his or her job or to a substantially equivalent job upon completion of an approved leave of absence. However, the City does not guarantee reinstatement and, even if a job is available, the job may not be the same job or have the same pay and benefits as the job the employee previously held. If a job is not available when an employee seeks to return from an approved leave of absence, the City generally will give reemployment preference to the employee when a job does become available. An individual will not be given any consideration for reinstatement if he or she fails to notify the City that he or she is ready to return to work upon completion of an approved leave of absence. Employees should notify their supervisor at least two-weeks prior to the expiration of the approved leave to discuss returning to work.

Employees may not accept employment with another employer and may not actively engage in self-employment while on an approved leave of absence. If the employee accepts other employment or engages in self-employment, the employee will be considered to have voluntarily terminated his or her employment with the City.

## **Alternate Duty Policy for Worker's Compensation Injuries**

The City of Gulf Shores shall attempt, but is not required, to provide suitable alternate duty work for city employees who, as a result of a job-related injury covered under the Alabama Worker's Compensation Act or qualifying medically related event, are temporarily disabled from performing all the essential functions of their regular job classification.

*Alternate duty coordinator.* The Personnel Officer or his/her designee.

*Alternate duty assignment supervisor.* Any supervisor under whose supervision an employee with a worker's compensation injury is assigned to work.

*Alternate duty.* Temporary work within medical restrictions for employees with worker's compensation injuries or qualifying medically related events. Such duties shall be consistent with employee's physical and mental abilities and may be performed as soon as is medically feasible. Alternate duty may not be within the employee's existing job classification. Sworn police officers on alternate duty will not be required or permitted to affect a forceful arrest, operate an emergency vehicle, or carry a duty weapon. Firefighters on alternate duty shall not actively engage in fighting fires and shall not operate an emergency vehicle.(Resolution 4310-07)

*Full duty.* Employee is performing or is able to perform all of the essential functions of his or her job classification with or without reasonable accommodations.

*Maximum medical improvement (MMI).* The date after which further recovery from, or lasting improvement to, an injury can no longer reasonably be anticipated, based upon a reasonable degree of medical probability by the city's physician.

*Qualifying medically related event.* An employee with an illness or injury that prevents the employee from performing the essential functions of his or her job for more than forty (40) regularly scheduled working hours.

*Temporary total disability (TTD).* The recovery period following a worker's compensation accident when an employee cannot perform all the essential functions of his/her job until the employee is released to work full duty or reaches MMI.

*Temporary total disability benefits.* : Defined by section 25-5-57(a)(1), Code of Alabama, 1975, as compensation of sixty-six and two-thirds (66 2/3) per cent of average weekly earnings at the time of the injury subject to the maximums (cap) set out in section 25-5-68, Code of Alabama, 1975. Employees assigned to alternate duty are not eligible for TTD benefits.

*Worker's compensation injury.* Physical injury by accident arising out of and in the course of employment with the City of Gulf Shores.

The city may place employees on alternate duty who have qualifying medically related events or who, as a result of a worker's compensation injury, are receiving TTD benefits or are eligible to receive TTD benefits until such time as employee is released to work full duty or the employee reaches MMI. Employees reaching MMI as determined by the city's physician shall no longer be eligible for new alternate duty assignments and must either return to work full duty if released by the city's physician or if the employee is not released to work full duty after reaching MMI, the employee must comply with the city's essential functions policy. Employees working on alternate duty when placed at MMI remain eligible to continue working the alternate duty assignment up to sixty (60) days after reaching MMI. Alternate duty is not a reasonable accommodation pursuant to the Americans with Disabilities Act. Generally alternate duty assignments shall not exceed one hundred eighty (180) calendar days. If the employee has not been released to full duty within one hundred eighty (180) calendar days of the worker's compensation injury or qualifying medically related event, the alternate duty coordinator shall consult with the treating physician and the employee's department head to determine whether alternate duty remains appropriate for the employee.

Alternate duty is assigned at the discretion of the alternate duty coordinator upon receiving a request from a department head to assign an employee with a qualifying medically related event or a worker's compensation injury to alternate duty.

Alternate duty is not an employee right nor does it guarantee permanent continuing employment in the event the employee cannot return to work full duty and perform all the essential functions of his or her job classification with or without reasonable accommodations. Assignments of alternate duty may be postponed for a reasonable period of

time while assessment of availability and compatibility for alternate duty positions is explored. In the event that an alternate duty assignment compatible to employee's abilities and temporary disability cannot be found, the employee may be denied alternate duty.

Employees on alternate duty shall receive their regular rate of pay and benefits and are not eligible for TTD. Employee work schedules shall be arranged to permit injured employees to attend physician appointments and any prescribed physical therapy and work hardening sessions.

Employees shall keep the alternate duty coordinator and their alternate duty assignment supervisor apprised of any changes in medical condition which affect his or her work abilities. The employee shall work within any medical restrictions and notify the supervisor and/or the alternate duty coordinator of any request to perform work that is not within the employee's medical restrictions.

It shall be the duty of a supervisor of any employee on alternate duty to insure that the employee complies with all medical restrictions while working an alternate duty assignment. The supervisor shall report any work or activity outside of medical restrictions to the department head and the alternate duty coordinator. Any employee who refuses to accept and work an alternate duty assignment pursuant to this policy shall be subject to discipline.

The city does not recognize any category of work as "light duty" with the exception of employees' assigned alternate duty pursuant to the city's alternate duty policy for worker compensation injuries and qualifying medically related events. An employee who has been ill or injured and returns to work is expected to fully perform all the essential functions of his or her job.

# **SAFETY AND SECURITY**

It is the policy of the City of Gulf Shores to comply with all applicable federal, state, and local health and safety regulations and to provide a work environment as free as feasible from recognized hazards. Employees are expected to comply with all safety and health requirements whether established by management or by federal, state, or local law. The City will provide special training programs for safety and health matters when deemed necessary, or as required by government regulation.(Resolution 4205-06)

There shall be a Safety Committee comprised of the Fire Chief (Chairman), Fire Marshal, Personnel Officer, Parks & Recreation Director, Public Works Maintenance Supervisor, and Police Department Lieutenant. (Resolution 4205-06)

Employees are encouraged to submit suggestions to the Personnel Officer concerning safety and health matters.(Resolution 4205-06)

Supervisors shall not discharge or discriminate in any manner against an employee because the employee has instituted a safety-related proceeding, has testified in such a proceeding, or has otherwise exercised any right afforded by law. (Resolution 4205-06)

## **Safety Rules**

A safe environment for employees is the goal and concern of everyone at the City of Gulf Shores. If you recognize any unsafe condition, regardless of the area, you are encouraged to report that unsafe condition immediately to your supervisor, Department Head or the Personnel Officer.

## **Safety Equipment**

Employees who are subject to potential hazards in the performance of their duties are required to utilize appropriate safety equipment or clothing. All Department Heads are to train employees in appropriate safety procedures, ensure employees are issued appropriate safety equipment or clothing, and require employees to utilize that equipment. Employees who fail to use safety equipment or clothing or comply with safety procedures will be subject to appropriate discipline up to and including termination.

## **Seat Belts**

All employees operating any City vehicle, riding as passengers, transporting passengers, etc., are required to wear seat belts at all times. Employees who fail to follow this policy are subject to disciplinary action up to and including termination.

## **Accident Reporting**

Should an injury occur while on-the-job, the injured employee must report his/her injury to his/her supervisor immediately. The supervisor must immediately notify the Personnel Officer, or in his/her absence, the City Clerk. An Accident/Injury Investigation Report **must** be submitted within 24 hours to the Personnel Officer to comply with Workers' Compensation requirements. It is the employee's responsibility to ensure that the accident report is promptly completed. Failure to report or file an Accident/Injury Report will be considered a violation of the City's policy and could result in appropriate discipline up to and including termination and could affect worker's compensation coverage.(Resolution 4129-06)

Any accident involving a motor vehicle should also be reported to the City Clerk with a copy of the Accident/Injury Report and police report provided to the Clerk. (Resolution 4129-06)

As provided in the Drug and Alcohol Testing Program Procedures, alcohol and controlled substance post-accident testing of employees may be required in certain circumstances.(Resolution 4129-06)

Should an on-the-job injury result in medical treatment, the employee's supervisor, if present at the time, should accompany the employee for treatment. Day shift workers should seek treatment from the City's approved medical provider. Night shift workers should seek treatment at the South Baldwin Regional Medical Center Emergency Room.(Resolutions 4129-06, 4310-07, 4596-08)

Should the injury occur on a weekend or at some time that the approved medical provider is not available, you may report to the South Baldwin Regional Medical Center Emergency Room. (Resolutions 4129-06, 4596-08)

Failure to report to the approved medical providers may jeopardize your worker's compensation benefits.

## **Drug Free Workplace Policies**

The City of Gulf Shores is concerned about the adverse dangers posed by employees' abuse of controlled substances and alcohol. Employee substance abuse, on or off duty, can cause increased accidents, injuries, illnesses and medical claims. Substance abuse also can lead to the deterioration of employees' health and family lives. Employees who abuse controlled substances or alcohol endanger the safety of themselves, their fellow employees and the public. Medical costs related to substance abuse also place an undue financial burden on the health and benefit programs to the detriment of other employees. Additionally, substance abuse can adversely affect productivity and employee morale, and can cause increased absenteeism and turnover, all of which adversely affects the City's ability to provide services to the public. In light of these concerns, the City's goal is to maintain a safe, healthy and productive workplace free of substance abuse. To achieve this goal, the City has adopted and implemented a comprehensive *Substance Abuse Policy and Program* ("Program") that includes (i) alcohol and controlled substance testing; (ii) educational training programs, and (iii) appropriate discipline for violations of the City's policy.

## **Substance Abuse Policy**

The possession, use, distribution, dispensing, manufacture or sale of alcohol or any controlled substance on City property or during an employee's work hours (including meal and rest periods) is prohibited. Reporting for duty or performing work while affected by alcohol or with any controlled substance present in the body (unless the employee has a current legal prescription and a valid medical reason for using the controlled substance) is also prohibited. Employees who violate this policy are subject to discipline including dismissal.

## **Drug and Alcohol Testing Program Procedures**

To implement this policy, the City has established program procedures that include alcohol and controlled substance testing of City employees. Alcohol and controlled substance testing of all employees will include reasonable suspicion testing and post-accident testing under certain circumstances. In addition to reasonable suspicion testing and post-accident testing of

all employees, employees who hold safety-sensitive jobs or positions involving a high degree of trust and responsibility will also be subject to pre-employment and random testing. An employee or applicant who tests positive, or who refuses to submit to a test if requested to do so, is subject to discipline, including dismissal or ineligibility for employment with the City.

Each employee will receive a copy of the City of Gulf Shores' *Substance Abuse Policy and Program*.

If an employee observes a violation of the Substance Abuse Policy, the employee is required to report the violation to the Personnel Officer or to the applicable Department Head. If an employee is convicted of a criminal offense that is related in any way to the unlawful manufacture, distribution, dispensing, possession or use of illegal drugs or other controlled substances, the employee must notify his or her supervisor of the conviction within five days after the date of the conviction. Within ten days after receipt of the conviction, the City is required to notify the federal agency that approves federal grants to the City. A "conviction" includes a guilty plea. The City may, in its sole discretion, require the employee to provide satisfactory proof of participation in a drug abuse or rehabilitation program in *lieu* of dismissal.

If an employee must use an over-the-counter or prescriptive drug that has adverse side effects (such as drowsiness or impaired reflexes or reaction time) that prevents the employee from performing his or her job duties safely, or that pose a risk to the safety of others, the employee must inform his or her supervisor. Upon request, the employee may be required to provide a copy of any prescription and may be required to produce the medication in its original container. If the prescription causes performance or safety problems, the employee may be placed on unpaid leave of absence (unless the employee has accumulated vacation or sick leave time) while the employee is taking medication.

## **Consent to Testing**

Adherence to City policy on drugs and alcohol is a condition of employment for all employees. All employees will be required to sign an acknowledgement form consenting to the *Substance Abuse Policy and Program*. Failure to consent to drug or alcohol screening is grounds for termination.

## **Violations**

If screening reveals a controlled substance or alcohol is in the employee's system, the employee will be relieved of his duty and may be disciplined, terminated or retained subject to completion of a treatment program and other conditions as required by the Department Head, the Personnel Officer and the City Administrator. The City reserves the right not to pay expenses directly or indirectly related to injuries when an employee is found under the influence of a controlled substance, alcohol, or other mood-altering drugs. Any payment made at the discretion of the City does not waive the City's rights to discontinue subsequent payments after new information is available which supports the discontinuing of payments. Any employee who tests positive for substance or alcohol abuse shall not be considered for promotions, merit raises, or other incentives until one (1) year from the date of the negative test which is required upon completion of the counseling or rehabilitation program. Any employee who has subsequent positive test after referral to counseling or rehabilitation shall be discharged.

## **Employee Assistance Program**

Problems such as marital or family stress, alcoholism, drug abuse, financial or other physical, mental, or emotional concerns are among many problems that may be resolved by timely and appropriate care. The Employee Assistance Program (EAP) is available to assist employees whose personal problems may interfere with their ability to perform their job. EAP services are provided on a strictly voluntary and confidential basis (except where the referral is on a mandatory basis for alcohol or drug related purposes). Employees are encouraged to seek help through the EAP through the self-referral process. The City may also refer employees to the EAP when the City believes the counseling services may help an employee's performance.

The City will make available information concerning the availability of alcohol or drug abuse counseling, rehabilitation and employee assistance programs in the Gulf Shores or Baldwin County areas. Participation in such program is at the employee's own expense, but the City will allow a leave of absence without pay for that purpose. Each year, the City will sponsor a program to inform all employees of (i) the dangers of drug abuse in the workplace, (ii) the City's intent to maintain a drug free workplace including penalties that may be imposed upon

employees who violate this policy, and (iii) the availability of any alcohol or drug abuse counseling, rehabilitation and employee assistance programs that are available in our area.

### **Inclement Weather/Force Majeure**

In the event of a storm, hurricane, tornado, natural disaster, flood, war, riot, or other major upheaval that may endanger the employee's ability to report to work, the Mayor will make the final decision regarding the official closing of the City's offices and operations.

Nevertheless, during emergencies, the City must continue to provide services to the City of Gulf Shores and its residents. Accordingly, employees must report to work if instructed to do so. Unless reporting to work as instructed would endanger an employee's personal safety, employees who fail to report to work during or following an emergency are subject to disciplinary action up to and including termination.

### **Smoking/Tobacco**

For the health and safety of our employees and customers, the City prohibits the use of tobacco products in City vehicles and in all areas of its facilities, except in designated locations outside of the buildings. Both smoking tobacco and smokeless or chewing tobacco are included in this restriction.

### **Uniforms/I.D. Badges**

Employees who are required to wear uniforms must report to work in their assigned uniforms. Identification Badges are issued to new employees upon employment. Requests for replacement badges can be made through the Personnel Department.

The badges are and shall remain the property of the City. Individuals whose employment with the City terminates for any reason shall be required to return his or her badge to the Personnel Department as directed. An employee's final paycheck may be withheld pending the return of the employee's badge.

# **ADDITIONAL INFORMATION**

## **City of Gulf Shores' Labor Relations Philosophy**

As reflected in our value statement, the City of Gulf Shores is committed to maintaining good working conditions, competitive wages and benefits, open communications, and employee involvement.

We are committed to dealing with employees fairly, honestly, and directly; to consider and treat each employee as an individual; and to provide all employees favorable working conditions.

Under such conditions, the City believes that unions do not serve the best interest of its employees, or the organization. Experience has shown that where unions exist division among employees and friction between employees and their managers and supervisors frequently follow and a strike often takes place. The City's non-union status allows employees to deal directly with management rather than through third party representatives and it allows employees to be treated as individuals and it allows opportunities to advance based upon employees individual merits. The City's continued success depends upon the cooperative relationship between management and employees. Therefore, in the interest of all employees and the City, every legal and proper, means will be implemented to preserve the non-union relationship the City enjoys with its employees.

One of the greatest strengths of the City of Gulf Shores has been the dedication of its employees, working in harmony with the organization's objectives to achieve customer service satisfaction.

## **Dress Code Policy**

All employees are required to promote a professional image throughout all locations of the organization. All employees are expected to maintain high standards of neatness and personal hygiene regardless of where they work. Office employees often have contact with the public and therefore represent the City in their appearance as well as by their actions. The properly attired employee helps to create a favorable image for the City. Accordingly, the personal appearance of the office is to be governed by the following standards.

1. Employees are expected to dress in a manner that is normally acceptable in business establishments.
2. The wearing of dungarees, shorts, T-shirts, tight fitting clothing, low cut tops, see-through garments, clothing revealing the stomach or cleavage, skirts no shorter than three inches above the knee, clogs, or flip flops will not be allowed.
3. Jeans and tennis shoes are permitted on Fridays only; this day is designated as casual day. Any dress that does not follow these guidelines above or present a business like appearance will not be allowed.
4. Hair should be clean, combed, and neatly trimmed and arranged. Shaggy, unkempt hair is not permissible, regardless of length.
5. The dress and grooming of service and maintenance workers is to be governed by the requirements of safety first, then comfort. Loose fitting or baggy clothing, open-toe or high heel shoes, and dangling or protruding jewelry should not be worn by employees who work with machinery or equipment with moving parts as such attire may create a safety hazard.
6. Employees in designated departments may be required to wear uniforms or specialized clothing that provides a standardized appearance.

If an employee reports to work improperly dressed or groomed, the supervisor should instruct the employee to return home to change clothes or take other appropriate corrective action. The employee will not be compensated during such time away from work, and repeated violations of this policy will be cause of disciplinary action.

## **Confidential Information**

As an employee of the City of Gulf Shores, you may have access to confidential business information about our customers and business operations. You may not discuss our business or our customers outside of the workplace. Any unauthorized disclosure of any information about the City, its customers or its business operations is strictly prohibited, and is a ground for discipline, including discharge.

Information designated as confidential is to be discussed with no one outside the municipality and only discussed within the organization on a “need to know” basis. The imposition of this responsibility is not intended to impede normal business communications and relationships, but is intended to alert employees to their obligation to use discretion to safeguard internal City affairs.

## **Media Inquiries**

Whenever any City employee receives any inquiry from any newspaper, television station, or other print or electronic media, the employee must immediately contact the Mayor or the City Administrator to secure permission before speaking to such media on any matter of policy or opinion. The purpose of this policy is not to stifle the voices of the City's representatives or employees, but merely to make certain the public receives a unified, coordinated response on technical information from the City. We believe this procedure will eliminate any misstatements, which tend to reflect badly on the City, Mayor, City Council, and City employees and will portray the best image possible in creating good will with citizens, business contacts and tourists.

## **Use of City Computers and Other Communication Systems**

In conducting business, the City relies on internal and external E-mail, the internet and various computer software programs. This communication technology is the City's business property to be used for business purposes. Sending or receiving personal e-mail messages should be kept to a minimum. Employees may not use City computers for personal, private or any other non-business purpose. Employees have no right to privacy with respect to City e-mail, internet, or computer usage and the City reserves its right to monitor and review employees' usage of its systems.

Certain employees have access to the internet. This allows state of the art access to information the City needs to perform work effectively. However, excessive use of the internet can be costly. The internet must be used only for business purposes and only when the information is necessary for performing job duties. Recreational “surfing” of the internet or using it for personal use is prohibited. Employees have no right of privacy with respect to the City's internet access or with respect to any information obtained on the internet. The

City may monitor internet access and may audit employees' internet use, including checking the web sites employees access on the internet.

Employees shall not use any City communication equipment or systems, including E-mail, to communicate any information (including messages, jokes, pictures, cartoons, *etc.*), that could be construed as a violation of our *Equal Employment Opportunity/Harassment Policy*, as . Specifically prohibited are hostile, intimidating, offensive, insulting or demeaning messages, jokes, pictures, cartoons, *etc.*, about a person's sex, race, color, national origin, religion, age or disability. Employees shall not use any City communication system to communicate any messages, pictures, cartoons, *etc.* that could be construed as sexual harassment. This includes the use of profane or vulgar language, unwelcome sexual flirtations, sexual advances or sexual propositions, sexually oriented or suggestive jokes or comments, comments about a person's body or sex life, sexually degrading words, including sexual slang used to describe any person, sexually suggestive or vulgar jokes, cartoons or graffiti, etc. Similarly, employees shall not print, display, or download any sexually explicit messages or material, and shall not access web sites, chat rooms, *etc.* on the internet containing sexually explicit material of any kind.

Employees who violate our policy on the use of City computers and other communication systems are subject to discipline, including discharge.

## **Personal Possessions**

The City furnishes desks, closets and/or lockers for employees to use for coats, purses, and other personal possessions. The City does not assume responsibility for any theft or damage to the personal belongings of employees. Employees have no expectation that City offices, desks, closets, lockers or vehicles are private. The City reserves the right to search desks, lockers and personal belongings brought onto City property, if the City has reasonable cause to believe the employee is in possession of a prohibited weapon, controlled substance, alcohol, or misappropriated City property or funds.

## **Telephone Courtesy**

When answering the phone, please remember that the customer comes first, is the primary source of the organization's income and is therefore, the ultimate source of each employee's

job and income. Employees should be prepared to listen carefully and patiently, and deal with complaints in a responsive, professional, manner. If the customer should become unreasonable or abusive and the employee cannot resolve the problem, the customer should be referred to the employee's supervisor. A positive telephone contact with a customer can enhance goodwill while a negative experience can destroy a valuable relationship. The following procedures should be observed whenever possible:

- When answering the telephone, use a pleasant tone of voice, give the name of the department, and identify yourself.
- If the person with whom the caller wishes to speak is on another line, ask the caller if he/she wants to be placed on hold or leave a message on voice mail.
- If a caller is placed on hold, carefully monitor the holding period and offer to have the call returned if the person to whom he wishes to speak is not available within a reasonable time.
- When a caller leaves a name, number, or message, make sure it is recorded correctly and given promptly to the appropriate individual.

## **Personal Telephone Calls**

A large percentage of the City's business is transacted by telephone. The telephone equipment of the City is provided for the purpose of providing service to the customers. Therefore, it is necessary to limit your personal calls to an absolute minimum. Beepers, pagers, and telephones that are issued to employees for work purposes should be used for that purpose only. Employees must reimburse the City for the cost of any calls made or received on the City's equipment that do not relate to work. Beepers, pagers and telephones should be returned to the employee's supervisor upon termination. Using cell phones and texting while driving is a distraction that should be avoided at all cost as it is dangerous to employees as well as a liability exposure. Cell phones should not be used while driving a City vehicle, *unless it is equipped with a hands-free device*. Texting is not to be used at all while driving a city vehicle. This prohibition applies whether you are using a City cell phone or your personal cell phone. (Resolution 4835-10)

If employees bring personal cell phones to work, personal calls are to be made only during break or meal periods. Incoming personal phone calls should be terminated promptly. Abuse of cell phone usage will lead to disciplinary measures.

## **Conflict of Interest**

Employees have an obligation to avoid conflicts of interest and to refer questions and concerns about potential conflicts to their supervisors. It is impossible to describe all of the situations, which may cause or give the appearance of a conflict of interest. Therefore, the prohibitions included in these comments are not exhaustive and only include some of the more clear-cut examples:

- Employees must disclose to their applicable Department Head any other employment relationship to avoid a conflict of interest.
- Employees should not engage in, directly or indirectly, any conduct which is disloyal, disruptive, competitive, or damaging to the City.
- No employee shall maintain an outside business or financial interest, or engage in any outside business that furnishes products, materials, or services to the City in any related transaction.
- Employees are not to accept full-time, part-time, or temporary employment with any organization that does business with the City. This prohibition on employment includes serving as an advisor or consultant to any such organization, unless that activity is conducted as a representative of the City.
- Employees are not to accept gifts, except those of nominal value, from a person or firm doing, or seeking to do, business with the City.

## **Political Activities**

The City of Gulf Shores encourages its employees to accept personal responsibility of good citizenship, including participation in the civic and political activities in accordance with their interest and abilities. The City accepts without reservation the basic democratic principle that

all employees are free to make their own individual decisions in civic and political matters. Therefore, no employee's status with the City will be affected, in any way whatsoever, because of participation or non-participation in lawful civic and political activities. Participation in civic and political activities is considered to be a personal matter and, as such, is to be carried on outside of normal working hours. No political activities or solicitations will be carried on/or within the City's properties. Political activities are defined for purposes of this policy as activities in support of any partisan political issue or activities in support of, or in concert with, any individual candidate for political office, or political party, which seek to influence the election of candidate to federal, state, or local offices. This policy applies to employees who are or may be candidates for political office, as well as employees supporting a candidate in a federal, state or local election.

## **Personnel Files**

The City maintains a personnel file on each employee, which includes documents such as your employment application, references, tax withholding information, performance appraisals, disciplinary memoranda, *etc.* It is important that the City maintain accurate information concerning each employee's name, address, telephone number, marital status, dependents, withholding status and emergency contacts. If an employee has any changes in this information, the employee should contact the Personnel Officer in writing promptly.

Personnel files are the City's confidential business information. Except for internal business use, the City generally will not release information from your personnel file to you or to anyone else, without an appropriate court order, subpoena or government request. Any unauthorized disclosure of information from an employee's personnel file is a ground for discipline, including discharge.

The collection of employee information will be limited to that needed by the City for business and legal purposes. The confidentiality of all personal information in our records will be protected. Internal access to employee records will be limited to those authorized personnel with a legitimate business-related need for the information, such as the Personnel Assistant, Department Head, Personnel Officer, City Administrator, Mayor and City Clerk.

Employees are permitted to view personal information maintained about them in their personnel records during regular business hours. Employees must first submit a written request to the Personnel Officer. Because personnel file documents are confidential business records, copies of personnel file materials generally are not provided. If an employee feels that inaccurate information is in his/her personnel file, he/she may submit a written statement regarding the disagreement to the Personnel Officer.

## **Travel and Expenses**

Employee travel performed in the course of conducting City business must be approved *in advance* by the employee's supervisor, the City Administrator, and the Mayor. Only expenses related to approved activity shall be reimbursed. If employee travel is not approved *in advance* by the City Administrator and Mayor, any expenses incurred for such travel may not be reimbursed.

Employees holding jobs that are designated as requiring extensive travel will be expected to travel as a condition of employment. For all other jobs, travel is considered only an incidental function of the position but may be required.

All travel arrangements for transportation and lodging should, under normal circumstances, be made through the Department Secretary or the Secretary to the Mayor.

The City may issue periodic memoranda specifying or restricting travel booking requirements. Under normal circumstances, employees are to use the most cost-effective and efficient mode of transportation available, to book the cheapest fares utilizing coach class and advance booking when available, and to stay in and eat at moderately priced establishments, using government rates when possible. To be reimbursed for lodging, the lodging must be at least fifty miles from Gulf Shores unless approved in advance by the Mayor.

Employees should provide their supervisor with a copy of their itinerary before leaving on business travel.

Employee expenses for approved travel will be paid or reimbursed when approved by the supervisor and the City Administrator. Individual expenses over \$25.00 must have a

receipt. Expenses under \$25.00 must be noted as to use. Employees are expected to exercise discretion in incurring expenses while traveling on business. Any travel expenses deemed unreasonable relative to the circumstances will not be paid or reimbursed and are the employee's personal responsibility.

An Employee may obtain a cash advance for approved business travel by submitting a written request to the Department Head or City Administrator. *A cash advance of \$5000 or more will require a Resolution of the City Council authorizing such.* Employees whose jobs are designated by the City Administrator as requiring extensive travel will be issued City credit cards for payment of business and travel expenses. Cash advances and City credit cards are City property, and their use is not to be abused and must be properly documented to ensure approval of any expenses incurred. (Resolution 4782-10)

An Employee will be reimbursed for the travel expenses of his/her spouse only if the presence of the spouse is deemed by the City Administrator to have a bona fide business purpose.

An Employee who intends to request reimbursement for special travel expense should seek approval for the expense from his/her supervisor before the expense is incurred.

Time spent by nonexempt employees in traveling away from home on City business during normal working hours is considered hours worked for pay purposes.

An Employee must substantiate the expenses incurred no later than five days after he/she returns to work after the travel by filing a travel expense report. An Employee must certify that the expenditures represent cash spent for legitimate City business only and include no items of a personal nature.

## **Automobile Usage**

The City of Gulf Shores provides City-owned vehicles to allow employees over the age of eighteen to drive on City business. As a last alternative, when a City-owned vehicle is not available, the City will reimburse employees for business use of personal vehicles according to prescribed guidelines. Employees may not drive any City-owned *or* private

vehicle for City business without the prior approval of their supervisor. Employees approved to drive on City business must immediately inform their supervisor and the Personnel Officer, in writing, of any changes that may affect either their legal or physical ability to drive or their continued insurability (i.e., loss of driver's license).

City-owned vehicles are to be used only in connection with an employee's work for the City and should not be utilized for personal purposes, such as trips to the grocery store, church, a movie, a restaurant, etc. Some employees who are on 24-hour duty status, however, will be allowed use of their assigned vehicle for personal purposes when it is deemed in the City's best interest to do so. As a rule, City-owned vehicles will not be assigned to employees whose residence is more than ten miles from the corporate limits of the City of Gulf Shores, with the exception of essential emergency personnel who will be designated by the City Administrator. (Resolution 4129-06)

Employees are not permitted under any circumstances to operate a City-owned vehicle, or a personal vehicle for City business, when any physical or mental impairment causes the employee to be unable to drive safely. This prohibition includes, but is not limited to, circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of illness, medication or intoxication.

Employees must ensure that City-owned vehicles meet any City or legal standards for maintenance and drivability. Maintenance problems should be reported, in writing, to the employee's supervisor with a copy to the Maintenance Division Supervisor. The vehicle shall be kept in clean condition to properly represent the City of Gulf Shores.

Employees are responsible for any driving infractions or fines as a result of their driving. Employees who drive a vehicle on City business must do so safely and diligently to maintain the security of the vehicle and its contents.

Employees who are required to use personal vehicles for approved business purposes will receive a mileage allowance equal to the Internal Revenue Service optional mileage allowance for such use, or the approved mileage reimbursement allowed by the City. A "Reimbursement for use of Personal Vehicle" form (available from the Accounting

Department) must be filed with the Accounting Department quarterly. The amount of allowance will be approved by the Mayor and Council with the annual fiscal year budget. Employees must immediately report any accident, theft or malicious damage involving a City-owned vehicle or a personal vehicle used on City business, regardless of the extent of damage or lack of injuries. A written report shall be made within 48 hours of the incident to the employee's immediate supervisor, with a copy to the City Clerk and Personnel Officer.

## **Volunteer Firefighters**

It is the policy of the City of Gulf Shores to provide adequate fire protection to its citizens. To accomplish this, it is necessary to enlist volunteer firefighters to assist the fire department personnel. The City shall quarterly reimburse expenses incurred by those qualified volunteer firefighters meeting the written criteria as established by the Fire Chief as follows: (Resolution 4035-06)

\$25.00 for each emergency to which they respond

\$25.00 for each training drill they attend

This shall not apply to salaried Paramedics of the City; however other employees of the City who serve as qualified volunteer firefighters shall be entitled to such expense reimbursement.

## **Private Use of City Assets**

While on duty, employees may *not* perform work on private property unless the work is performed pursuant to a written contract with the City. City equipment (including computers) and materials may not be used on private property at any time, unless the work is performed pursuant to a written contract with the City. Violations of this policy will result in immediate dismissal of the employee or employees involved. In addition, employees may be reported to appropriate federal and/or state authorities.

## **Tips and Gratuities**

City employees are not permitted to accept or solicit gratuities from customers. Employees who are offered a tip by a customer should politely, but firmly, refuse.

Employees may accept meals if the meal is provided as part of a seminar, convention, or business meeting. Plaques and other monetary symbols of appreciation given to employees in connection with officially sanctioned gratitude for civic or public service are also excluded from this policy.

## **Solicitations**

To help maintain a pleasant business-like workplace and to prevent unnecessary interruptions of inconvenience for our employees and customers, the City prohibits solicitation and distribution on working time and in working areas.

Non-employees are not permitted to solicit for any purpose or to distribute literature of any kind within any work area (i.e., all areas where City employees perform job assignments, except those areas generally accessible to the public).

Working time is for work and should be spent performing job assignments. Therefore, City employees may not solicit co-employees or distribute literature of any kind during working time. Similarly, employees may not solicit or distribute materials to another employee who is on his or her working time. Working time does not include meal breaks and rest periods.

To help keep the workplace clean and safe, employees may not distribute literature of any kind in any work area even during non-working time. Examples of non-work areas include areas that are generally accessible to the general public, break rooms and parking lots.

## **City Bulletin Boards**

The City maintains several bulletin boards to communicate City information to employees and to post notices required by the law. The bulletin boards are for posting of the City's business information and notices only. Only Department Heads may place authorized notices on or take down material from bulletin boards, with the exception of the main bulletin board outside the Mayor's office. Only the City Clerk, or her designee, may place

authorized notices on or take down materials from the main bulletin board. Personal solicitations, advertising or other communications of any kind are *not* permitted on the bulletin board.

## **Changes in Personal Status**

To maintain complete and up-to date records, all employees are required to notify the Personnel Department of any changes in name, address, phone number, number of dependents, and/or beneficiaries for insurance, pension, and other plans. In addition, up-to-date information is also needed for federal and state withholding purposes. Change forms are conveniently located in the Personnel Department. The Personnel Officer will gladly assist you in making the required changes.

## **Visitors**

Sometimes, family, friends or past employees wish to visit you at work. We ask you to be considerate of other employees by meeting visitors in the break area or outside the building, not in work areas. You will have a regular lunch break. These are the times when you may have visitors. We ask you to discourage people from stopping by to see you at other times. Remind visitors that work needs to be conducted during work hours and that any visit should be brief.

## **Final Reminder**

The spirit of cooperation among our employees has been a prime factor in our success. We will do everything within our power to ensure a continuation of that spirit.

Changing conditions may require future changes in our policies and benefits. Indeed, we hope to improve benefits and pay, which are continually under review. We will try to let you know promptly about new policies and benefits or changes in existing policies and benefits.

If you have a question concerning any policy in this handbook, discuss it with your supervisor. If your supervisor cannot satisfactorily answer your questions, feel free to use our open door policy to get an answer.

## **ACKNOWLEDGMENT**

**I ACKNOWLEDGE THAT I HAVE BEEN PROVIDED WITH A COPY OF THE CITY OF GULF SHORES' EMPLOYEE HANDBOOK. I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO READ AND COMPLY WITH THE CITY'S PERSONNEL POLICIES. I UNDERSTAND THAT MY EMPLOYMENT IS "AT-WILL", WHICH MEANS THAT EITHER THE CITY OR I CAN TERMINATE MY EMPLOYMENT AT ANY TIME AND FOR ANY REASON, WITH OR WITHOUT PRIOR NOTICE. I ALSO UNDERSTAND THAT NO MANAGER, SUPERVISOR, EMPLOYEE OR OTHER CITY REPRESENTATIVE HAS ANY AUTHORITY TO PROMISE ME EMPLOYMENT FOR A PARTICULAR LENGTH OF TIME OR TO MAKE ANY OTHER PROMISES OR REPRESENTATIONS ABOUT MY CONTINUED EMPLOYMENT WITH THE CITY.**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**EMPLOYEE'S SIGNATURE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**WITNESS**